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SAN FRANCISCO
PLANNING DEPARTMENT

DRAFT

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

Reception:
415.558.6378

Fax:
415.558.6409

Planning
Information:
415.558.6377

Notice of Determination

Approval Date: (date of approval action or when the appeal period expires)
Case No.: 2010.0613E
Project Title: Metro Theater Adaptive Re-Use Project, 2055 Union Street
Zoning: Union Street Neighborhood Commercial District
40-X Height and Bulk District
Block/Lot: 0541/018
Lot Size: Approximately 13,000 square feet
Lead Agency: San Francisco Planning Department
Project Sponsor: Stephane de Bord, Ehrman Properties
(415) 225-5456

(415) 575-9041
gov.org

ncisco

State of California
Office of Planning and Research
PO Box 3044
Sacramento, CA 95812-3044

CEQA), the Guidelines of the Secretary for Resources, and San
is transmitted to you for filing. At the end of the posting
th a notation of the period it was posted.

ative Declaration Fee] OR

Comment [JP1]: Until 12/31/10.

ermination (From CDFG)

of a theater building, the Metro Theater, City Landmark
s within the existing approximately 49-foot tall, 13,000-
ding's floor area would be approximately 36,250 square
rivate fitness and health facility and an approximately
n existing retail storefront would be expanded to

5/S

San Francisco Public Library

Government Information Center
San Francisco Public Library
100 Larkin Street, 5th Floor
San Francisco, CA 94102

REFERENCE BOOK
Not to be taken from the library

DETERMINATION:

The City and County of San Francisco decided to carry out or approve the project on [DATE]. A copy of the document(s) may be examined at [the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103], [Board of Supervisors, City Hall, 1 Carlton B. Goodlett Place Room 244, San Francisco, CA, 94102 in file no [FILE NUMBER]].

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Project Sponsor: Stephane de Bord, Ehrman Properties
(415) 225-5456
Staff Contact: Irene Nishimura – (415) 575-9041
irene.nishimura@sfgov.org

To:

County Clerk, City and County of San Francisco
City Hall Room 168
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102

State of California
Office of Planning and Research
PO Box 3044
Sacramento, CA 95812-3044

Pursuant to the California Environmental Quality Act (CEQA), the Guidelines of the Secretary for Resources, and San Francisco requirements, this Notice of Determination is transmitted to you for filing. At the end of the posting period, please return this Notice to the Staff Contact with a notation of the period it was posted.

Attached fee:
_X_ $50 filing fee AND ___$2,044.00 Negative Declaration Fee] OR
___ No Effect Determination (From CDFG)

Comment [JP1]: Until 12/31/10.

PROJECT DESCRIPTION:

The proposed project consists of seismic retrofit of a theater building, the Metro Theater, City Landmark No. 261, and the construction of three new floors within the existing approximately 49-foot tall, 13,000-square-foot building. After construction, the building's floor area would be approximately 36,250 square feet. The building would be converted into a private fitness and health facility and an approximately 1,625-square-foot full-service restaurant, and an existing retail storefront would be expanded to approximately 1,625 square feet.

DETERMINATION:

The City and County of San Francisco decided to carry out or approve the project on [DATE]. A copy of the document(s) may be examined at [the Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103], [Board of Supervisors, City Hall, 1 Carlton B. Goodlett Place Room 244, San Francisco, CA, 94102 in file no [FILE NUMBER]].

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Updated 9/30/10

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1. A Mitigated Negative Declaration has been prepared pursuant to the provisions of CEQA. It is available to the public and may be examined at the Planning Department at the above address.
2. A determination has been made that the project in its approved form [will not have a significant effect on the environment].
3. Mitigation measures were made as conditions of project approval.

John Rahaim
Planning Director

By Bill Wycko
Environmental Review Officer

cc: Stephane de Bord, Project Sponsor
Sebastyen Jackovics
Lesley Leonhardt, Union Street Merchants Association
San Francisco Neighborhood Theaters Association

Comment [JP2]: Send to Sue Hestor, Mary Miles, and Nancy Shanahan but do not list them here.

3 1223 09952 2535

SAN FRANCISCO
PLANNING DEPARTMENT

1650 Mission St.
Suite 400
San Francisco,
CA 94103-2479

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Planning
Information:
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Mitigated Negative Declaration

PMND Date: September 28, 2011
Case No.: **2010.0613E**
Project Title: **2055 Union Street/Metro Theater Adaptive Re-use Project**
Zoning: Union Street Neighborhood Commercial District
40-X Height and Bulk District
Block/Lot: 0541/018
Lot Size: Approximately 13,000 square feet
Project Sponsor: Stephane de Bord, Ehrman Properties
(415) 225-5456
Lead Agency: San Francisco Planning Department
Staff Contact: Irene Nishimura – (415) 575-9041
Irene.nishimura@sfgov.org

PROJECT DESCRIPTION:

The proposed project consists of seismic retrofit of a theater building, the Metro Theater, City Landmark No. 261, and the construction of three new floors within the existing approximately 49-foot tall, 13,000-square-foot building. After construction, the building's floor area would be approximately 36,250 square feet. The building would be converted into a private fitness and health facility and an approximately 1,625-square-foot full-service restaurant, and an existing retail storefront would be expanded to approximately 1,625 square feet.

FINDING:

This project could not have a significant effect on the environment. This finding is based upon the criteria of the Guidelines of the State Secretary for Resources, Sections 15064 (Determining Significant Effect), 15065 (Mandatory Findings of Significance), and 15070 (Decision to prepare a Negative Declaration), and the following reasons as documented in the Initial Evaluation (Initial Study) for the project, which is attached. Mitigation measures are included in this project to avoid potentially significant effects. See pages 111 - 112.

In the independent judgment of the Planning Department, there is no substantial evidence that the project could have a significant effect on the environment.

November 2, 2011

BILL WYCKO
Environmental Review Officer

Date of Adoption of Final Mitigated
Negative Declaration

cc: Stephane de Bord; Elizabeth Watty, Northwest/Northeast quadrants Neighborhood Planner; M.D.F

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INITIAL STUDY

2055 UNION STREET—METRO THEATER ADAPTIVE RE-USE PROJECT
PLANNING DEPARTMENT CASE NO. 2010.0613E

A. PROJECT DESCRIPTION

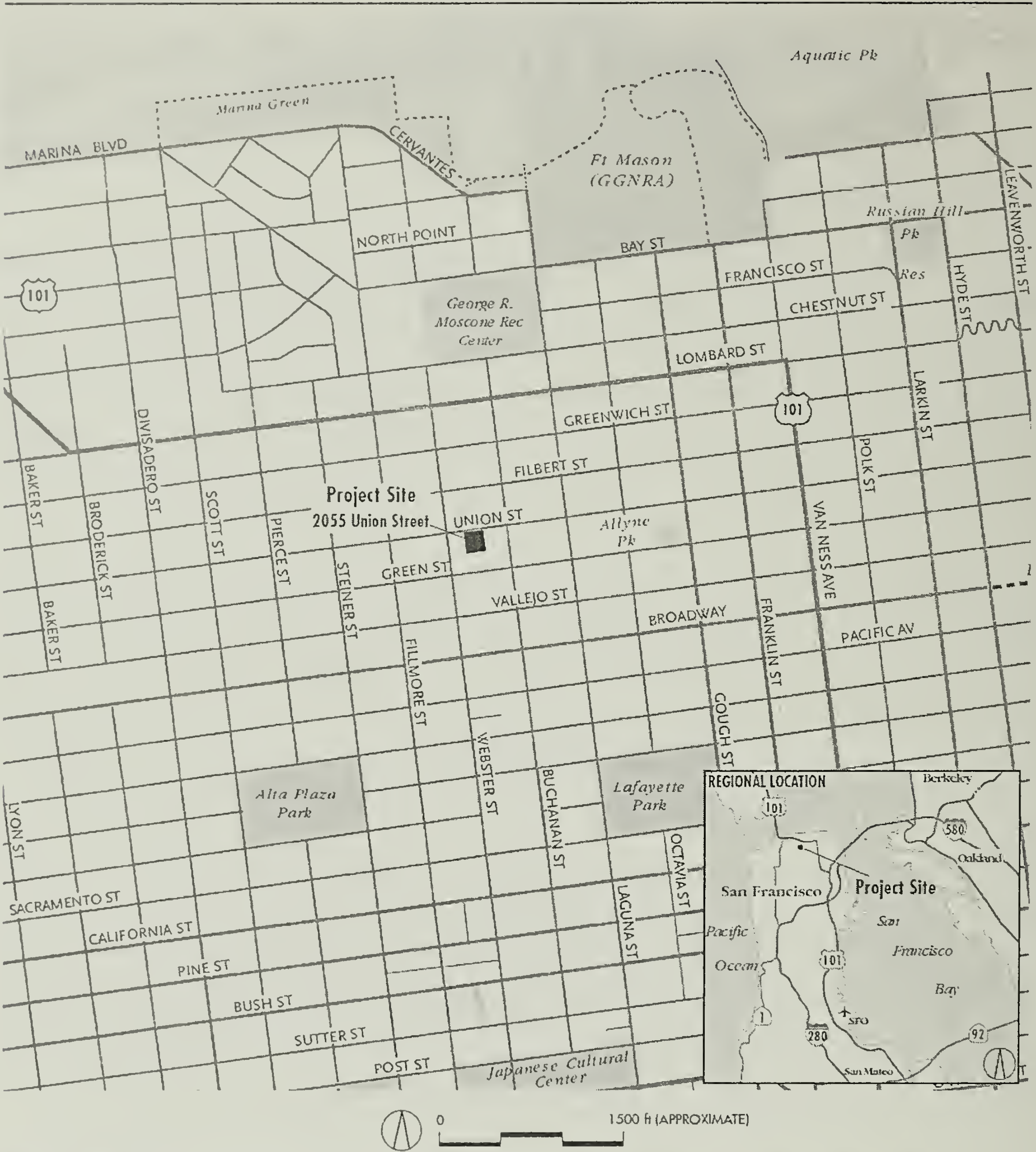
The proposed project would consist of seismic retrofit and adaptive re-use of the 670-seat Metro Theater building, a City landmark (Landmark No. 261), at 2055 Union Street. The 12,236-square-foot project site is located on the south side of Union Street, between Webster and Buchanan streets (Assessor's Block 0541, Lot 018) in the Cow Hollow neighborhood of San Francisco (see Figures 1 through 5, pages 2 to 6). The existing building on the site would be converted to a private fitness facility with ancillary services, and would also include a renovated retail space, community theater, and restaurant space. The site is located in the Union Street Neighborhood Commercial District (NCD) and the 40-X Height and Bulk District.

The currently vacant Metro Theater is an approximately 49-foot -tall single-screen theater building constructed in 1924. An existing street-front retail space is currently occupied by a woman's clothing store. The approximately 13,000-square-foot existing structure, constructed of steel and concrete, was designated Landmark No. 261 (Ordinance No. 175-09) under Article 10 of the City and County of San Francisco *Planning Code (Planning Code)* on June 29, 2009. The project site has no on-site parking or loading areas and none are proposed. See Figure 6, page 7, for a floor plan of the existing ground floor.

The proposed seismic retrofit would entail the construction of a new internal steel structural frame and three new floors that would be connected to the existing concrete structural walls in order to provide the necessary bracing for the 48.5-foot-tall walls which currently pose a potential seismic collapse hazard.[1] The construction of the three floors within the existing building would add approximately 23,250 square feet to the existing 13,000-square-foot floor area, for a total floor area of approximately 36,250 square feet in the proposed four-story building. See Figures 7 through 12, on pages 8 to 13 for the proposed floor plans, elevations, and sections, as proposed by the project architects in plans dated from March 31, 2011.

---

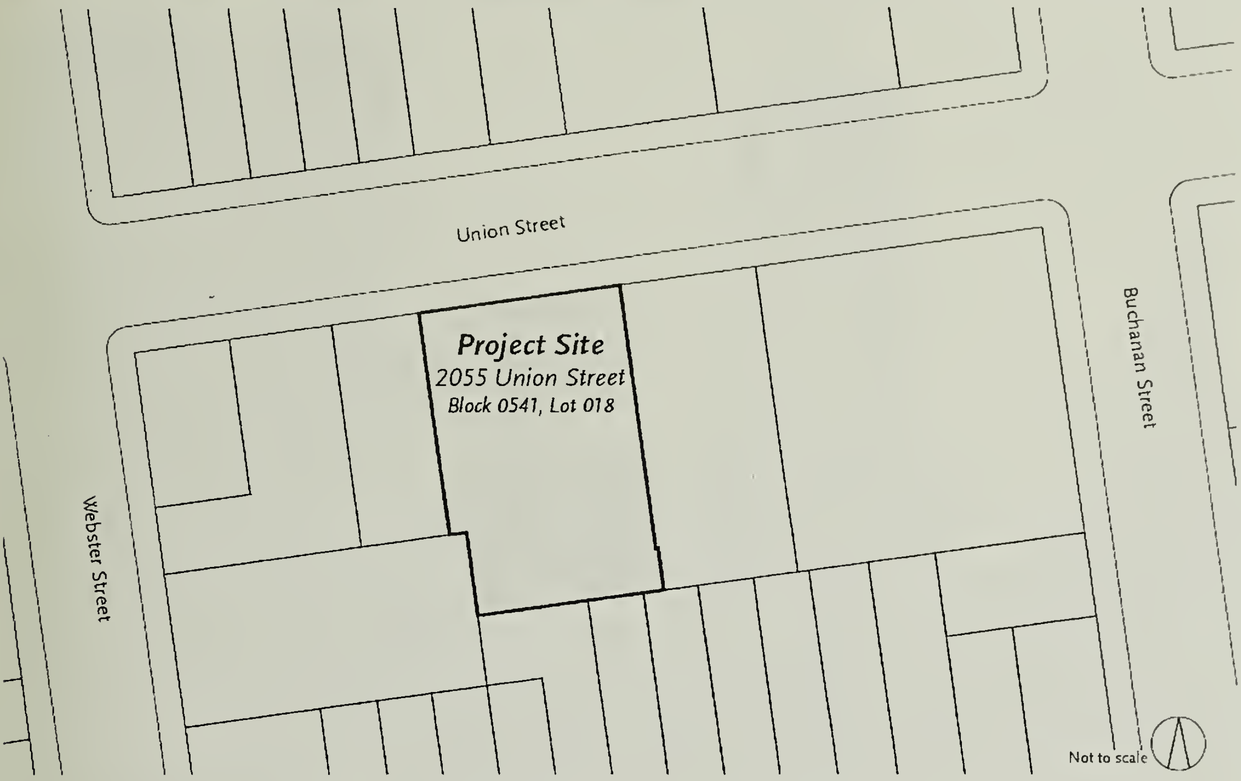
[1] See Structural Evaluation Report, dated March 2008, prepared by Holmes Culley, which may be reviewed at the Planning Department, 1650 Mission Street, Suite 400, San Francisco, as part of Case No. 2010.0613E.



Source: During Associates

8831

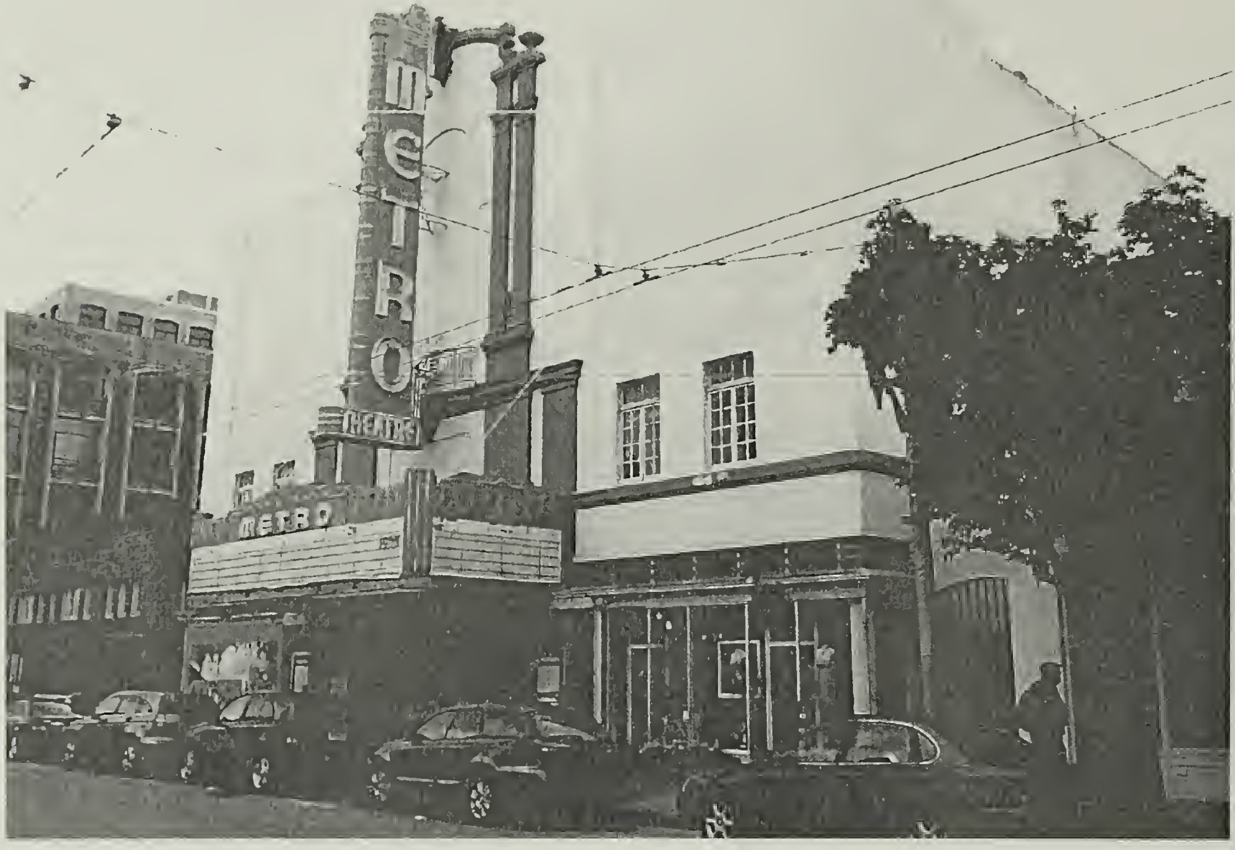
Project Location Figure 1



Source: Kahn Design Associates

8-6-11

Figure 2 Existing Site Plan



Source: During Associates

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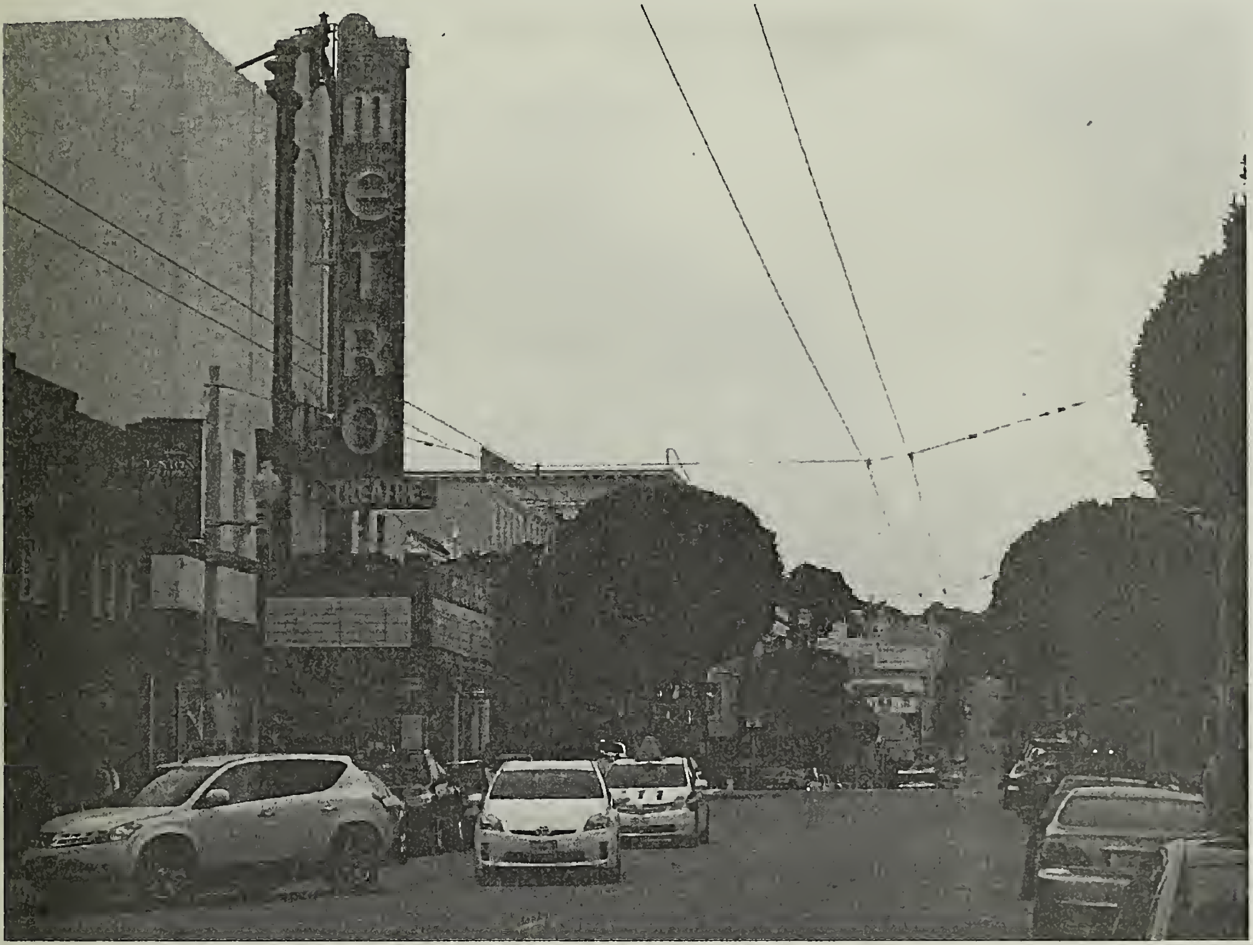
Figure 3 View of Existing Project Site



Source: During Associates

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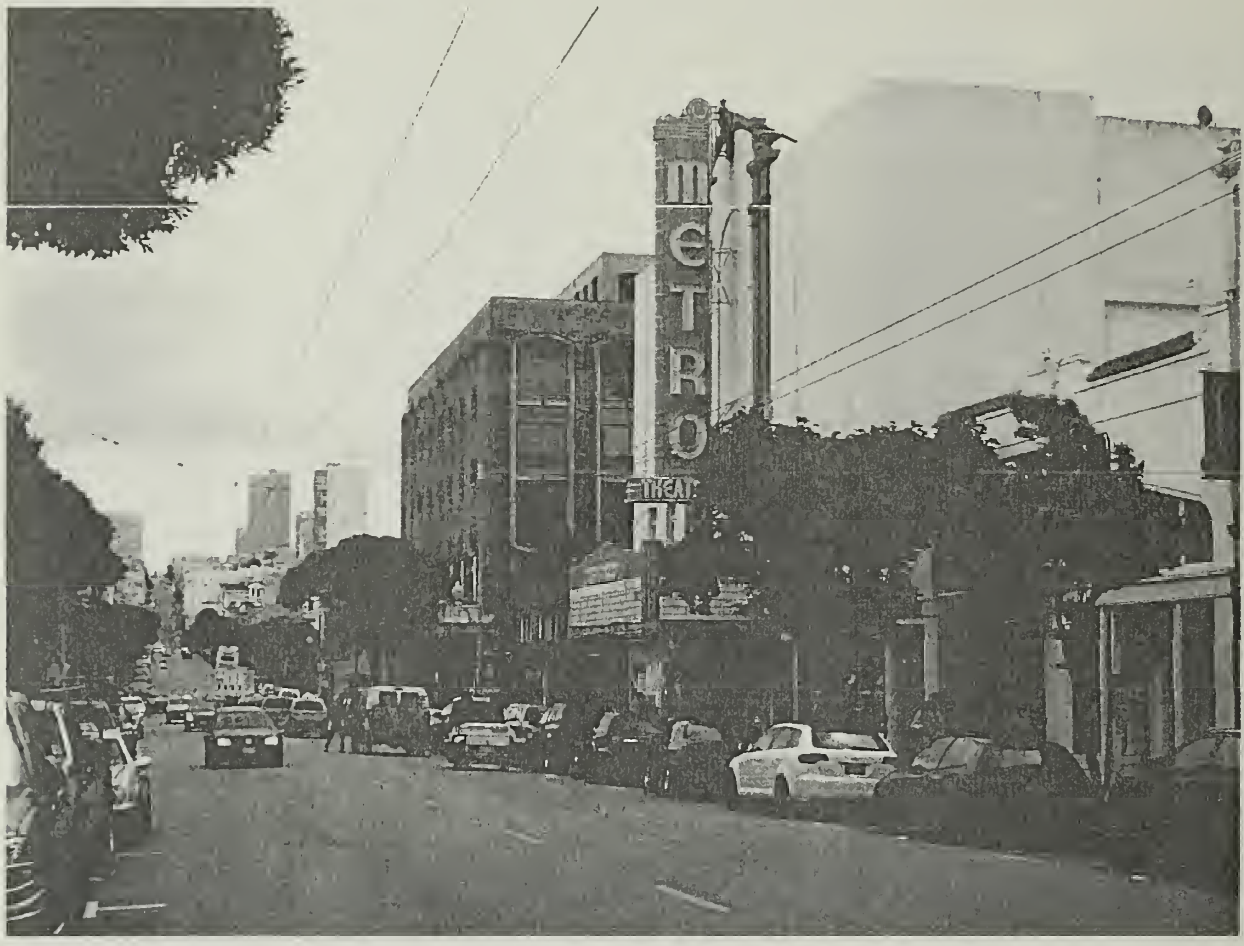
Figure 4 View of Project Site Looking West on Union Street



Source: During Associates

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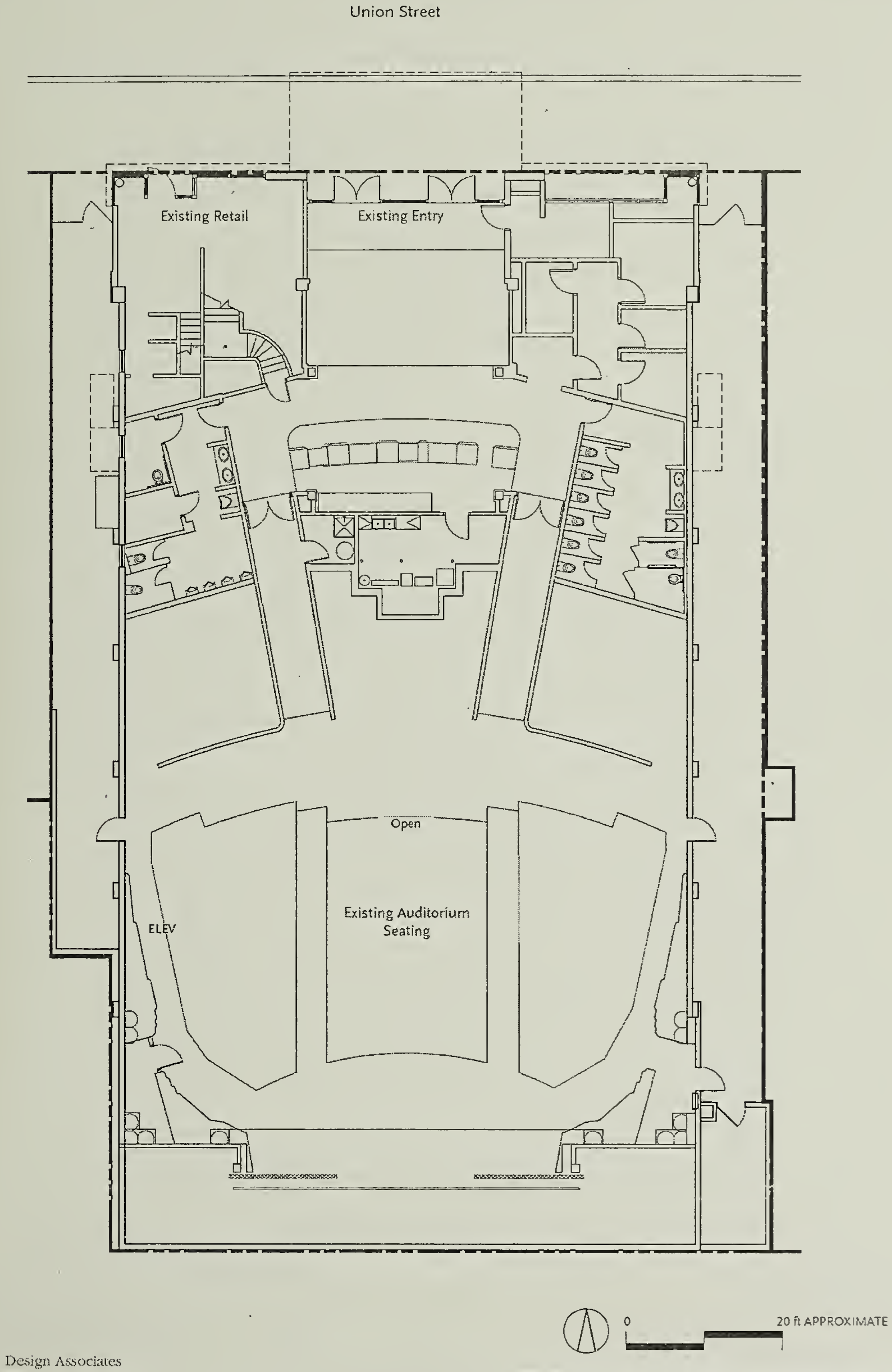
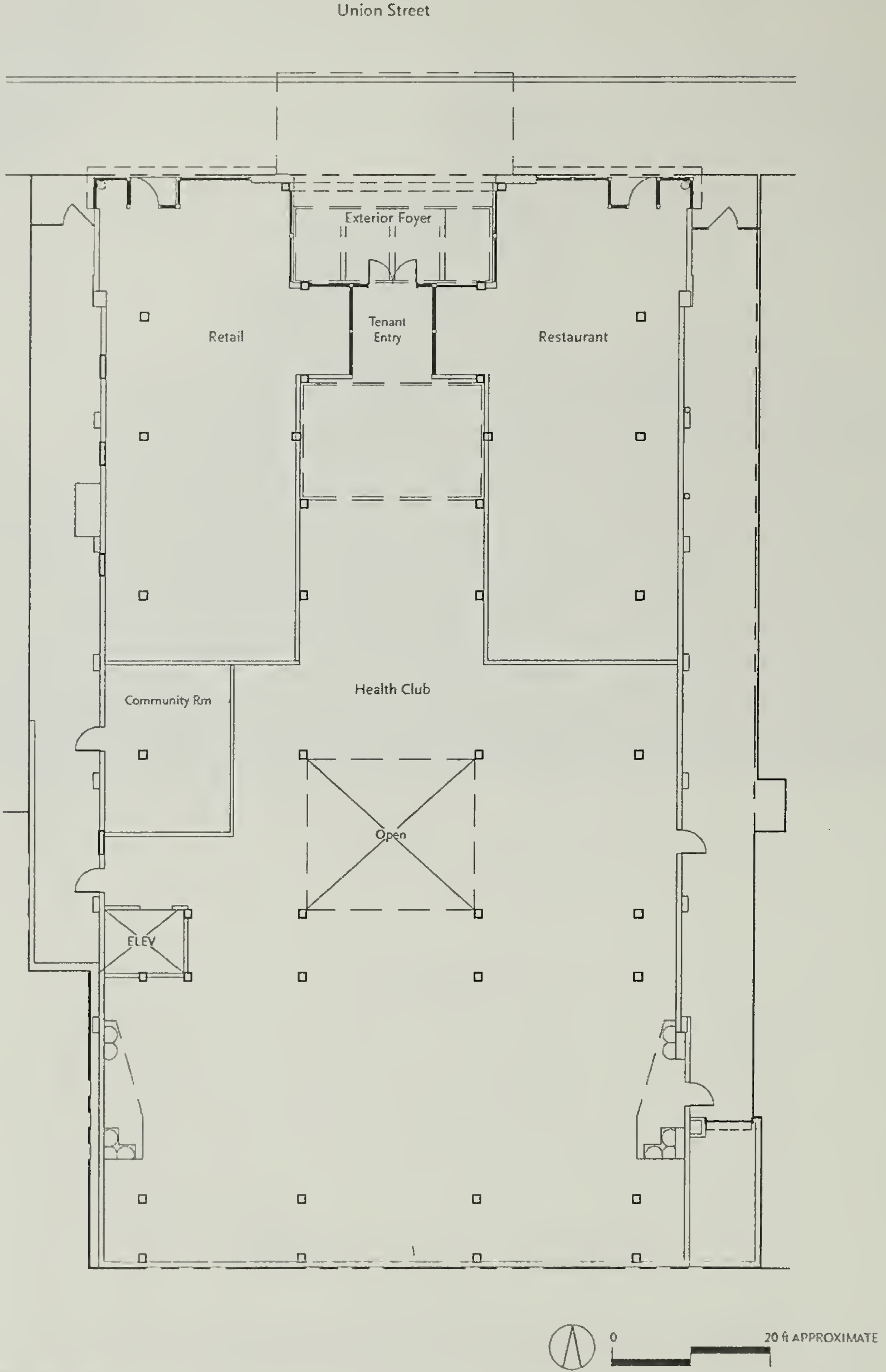
Figure 5 View of Project Site Looking East on Union Street



Source: Kahn Design Associates

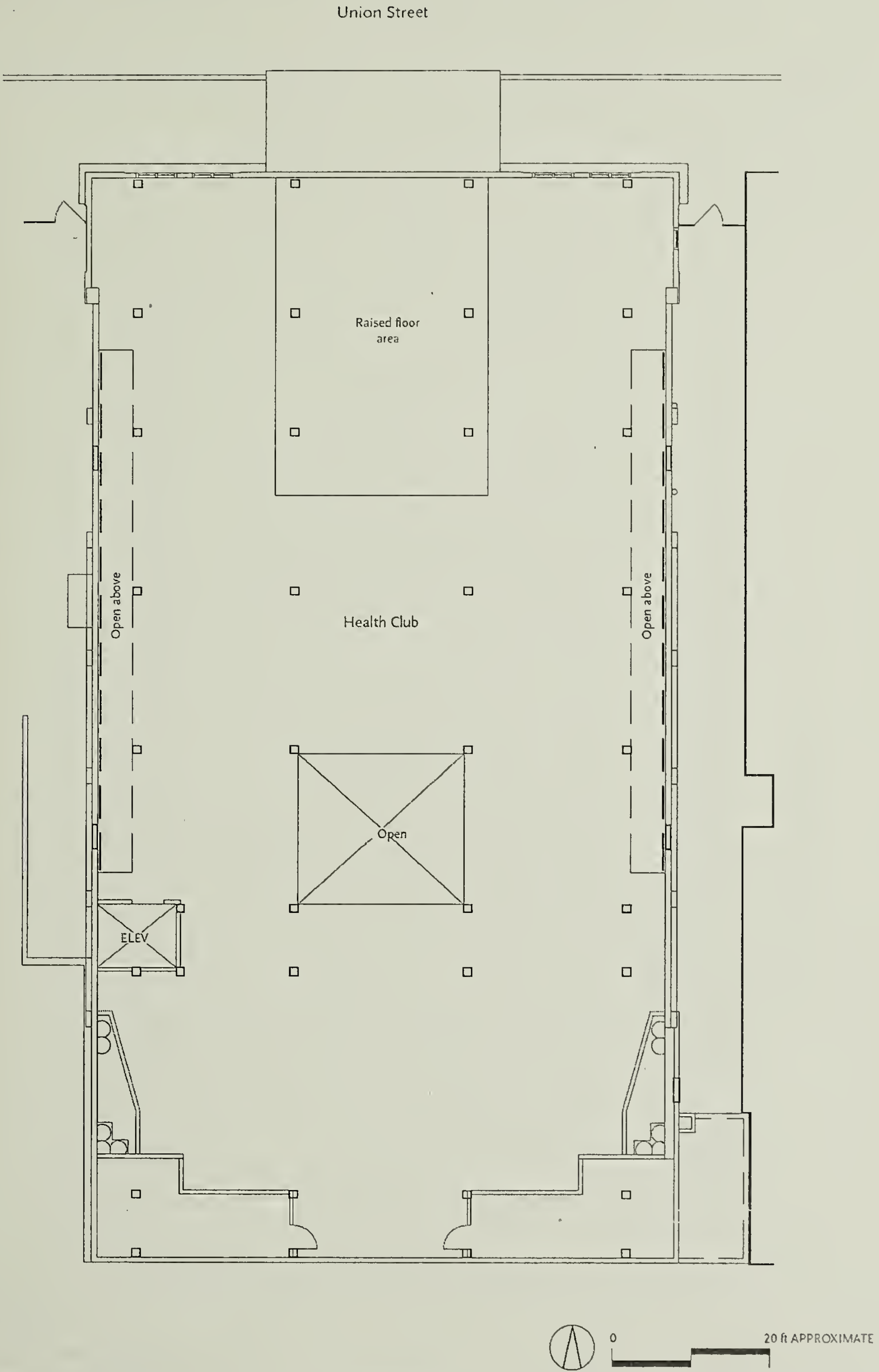
5·15·11

Figure 6 Existing Ground Floor Plan



Source: Kahn Design Associates

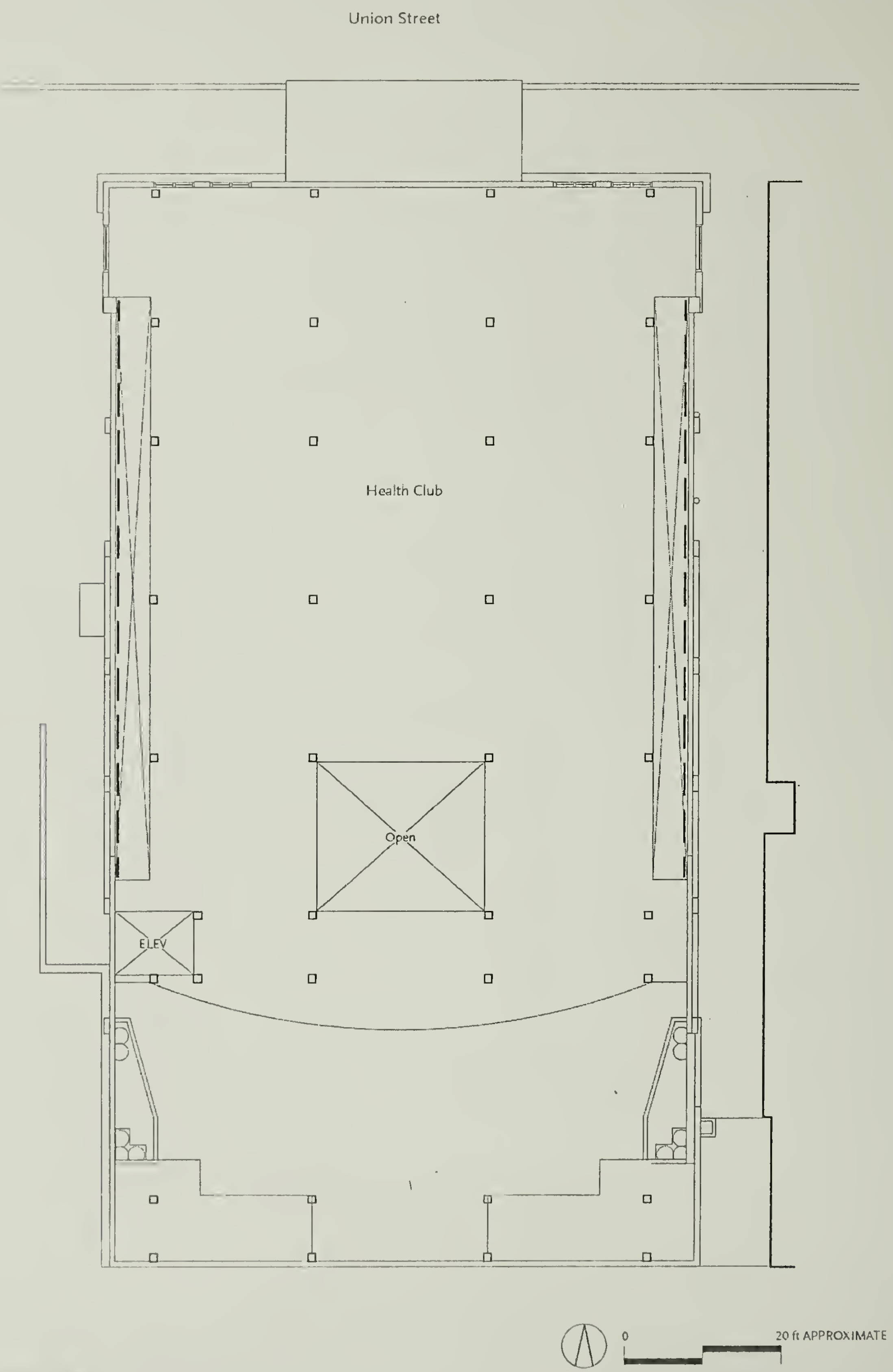
Figure 7 Proposed Ground Floor Plan



Source: Kahn Design Associates

5 15-11

Figure 8 Proposed Second Floor Plan



Source: Kahn Design Associates

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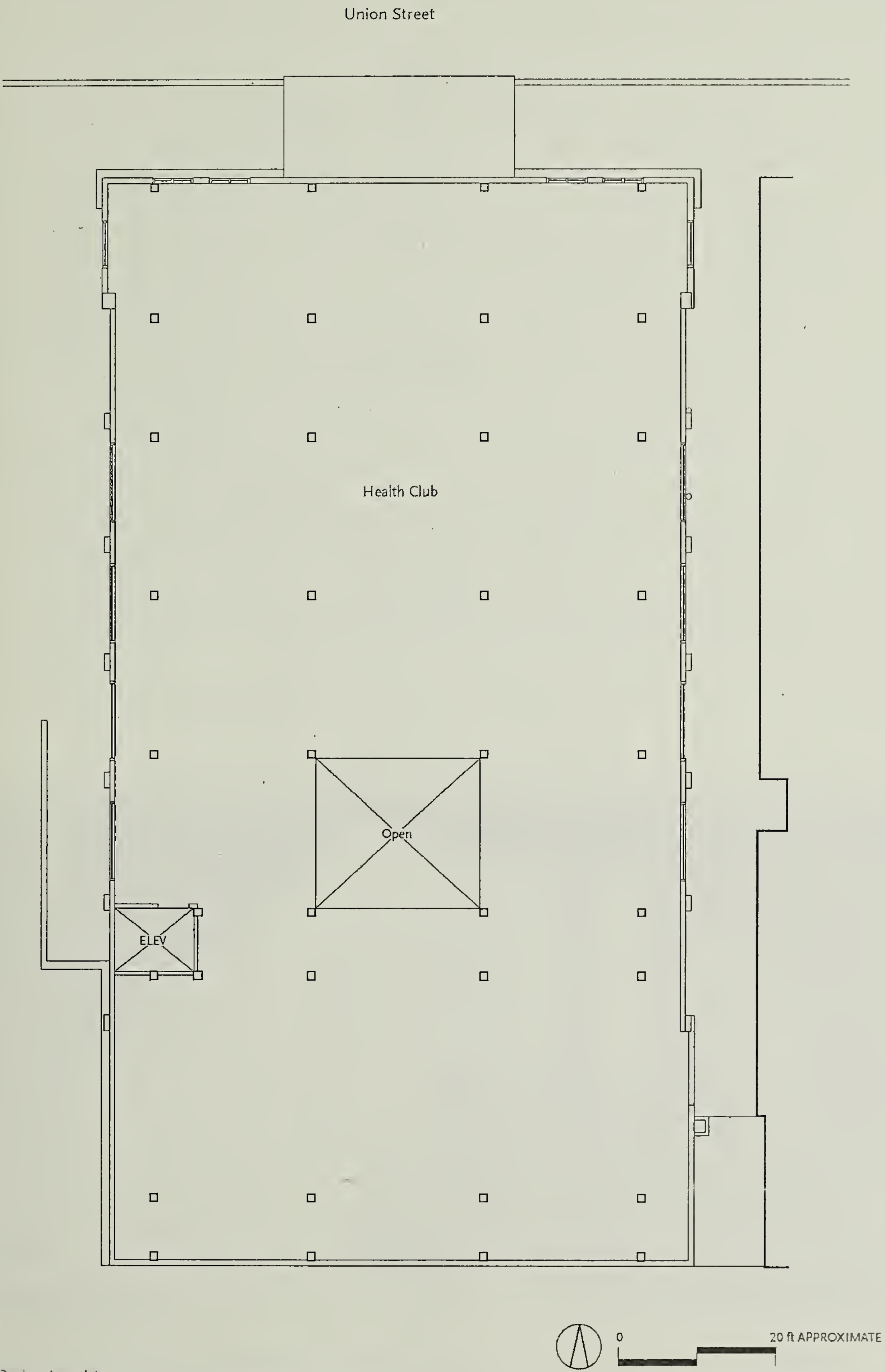
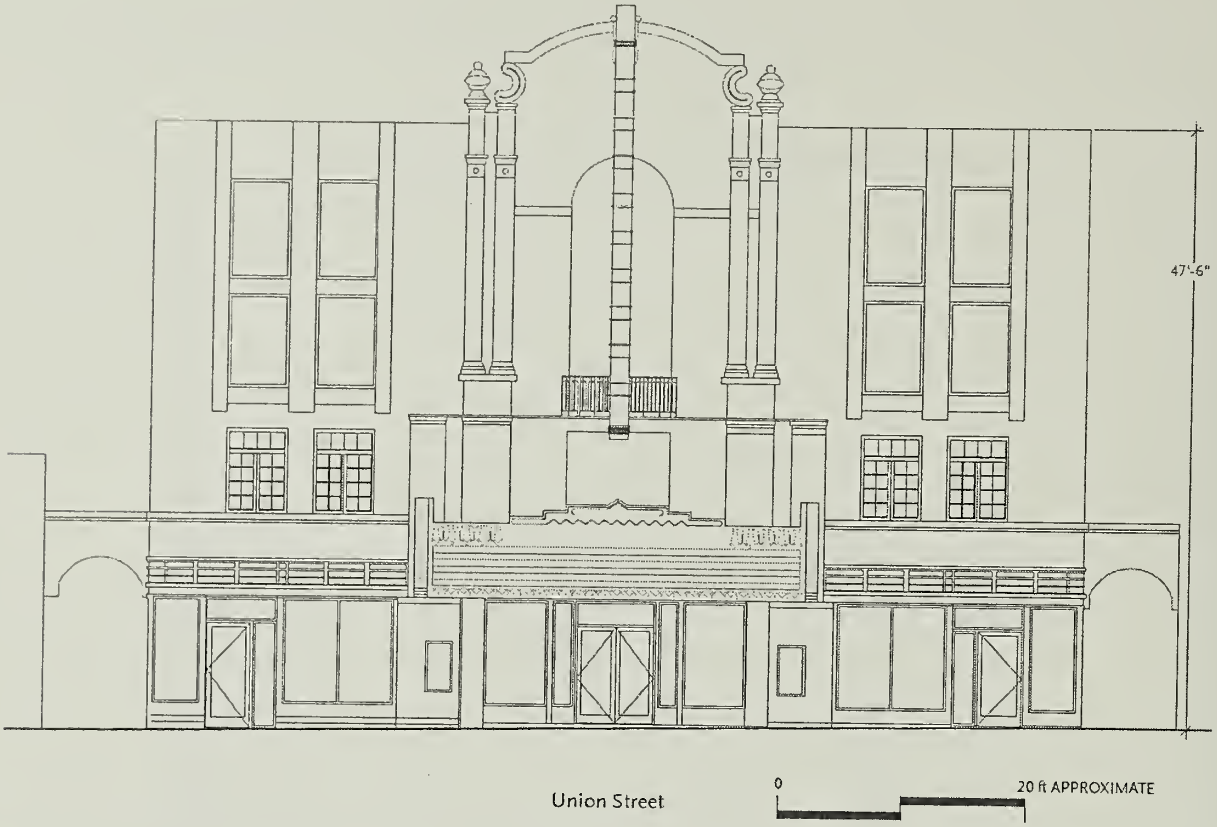
Figure 9 Proposed Third Floor Plan

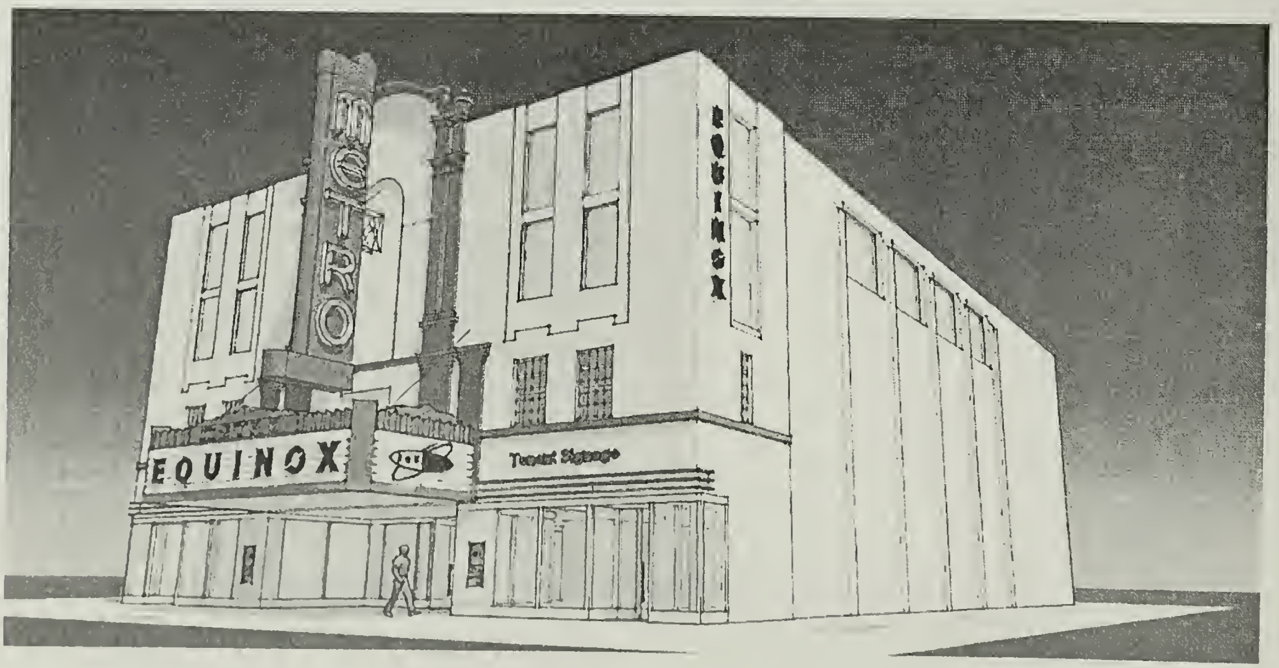


Source: Kahn Design Associates

5-15-11

Figure 10 Proposed Fourth Floor Plan





Source: Kahn Design Associates

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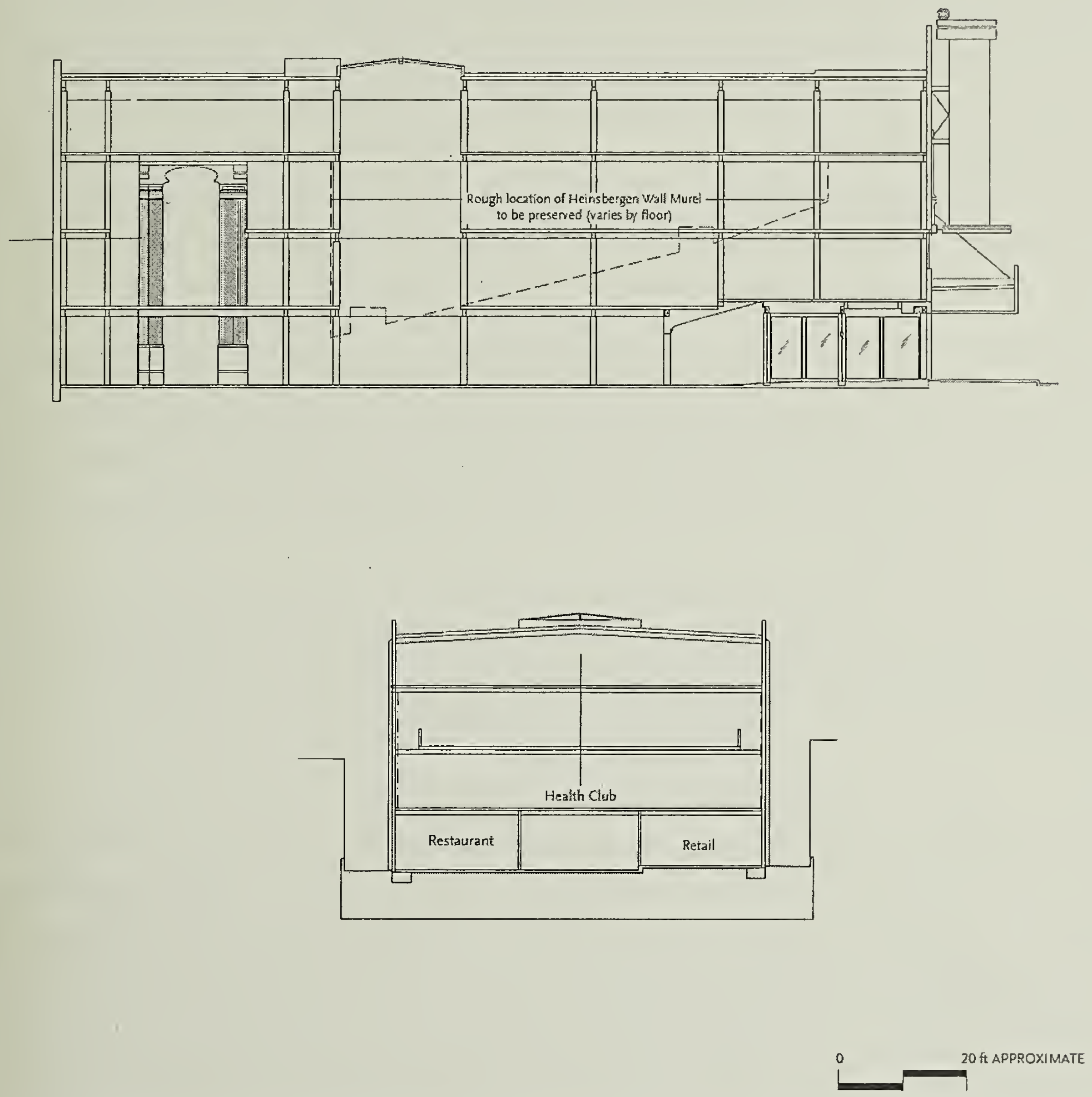
Figure 11 Proposed Project Elevation and Building Facades


Rough location of Heinsbergen Wall Murel
to be preserved (varies by floor)
Health Club
Restaurant
Retail
0
20 ft APPROXIMATE

Source: Kahn Design Associates

8-6-11

Figure 12 Proposed Project Sections

As part of the proposed project, the building would be converted to a private fitness facility. There would be renovation of the interior of the building, including the construction of the three new floors discussed above, renovation of the interior ground floor configuration (i.e., removal of existing interior walls to provide for an expanded retail space and a new restaurant space (see Figures 6 and 7, pages 7 and 8), and restoration of character-defining features as described below. The new fitness facility would be on four floors within approximately 33,000 square feet of the retrofitted building and would be organized into various exercise and health activity areas, and would include supporting functions such as locker rooms, dressing and shower facilities, restrooms, ancillary offices, and other related support facilities, such as a snack bar. Babysitting service for fitness facility patrons would be provided in a designated area.

The project would also include a 355-square-foot "community use" room for community organizations' meetings, which would have separate access off of the west side alley on the project site. The community theater area (also designated for group fitness during the facility's regular operation) would be a two-story-high space located at the existing movie stage/proscenium where existing historic decorated pilasters would be restored.

In addition, the theater's ticket sales and ancillary office space, which would be converted into an approximately 1,625-square-foot restaurant space and the existing retail storefront would be remodeled. Together, these spaces would total approximately 3,250 square feet in floor area.

The existing building's landmark character-defining exterior architectural features would be restored and renovated, including its blade sign (projecting sign, perpendicular to the wall to which it is attached) and marquee. The building was originally constructed (ca. 1924) in Spanish Colonial Revival style. Subsequently, Art Deco renovations were made in 1941. The project would retain and preserve the character-defining exterior features identified by the Board of Supervisors when the Metro Theater was designated Landmark No. 261 in 2009, including features from both architectural styles. Although the project would retain many of the existing building's character-defining features, the project, as proposed, would not comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties, and Standards for Rehabilitation. Hence, mitigation measures would be incorporated as conditions of project approval (see Mitigation Measures M-CP-1a through M-CP-1d, pages 41 to 42).

Existing interior walls and theater seating would be removed. Existing wall murals including the Heinsbergen Murals (see Figure 12, page 13) would be protected during demolition and construction, and preserved in place. Decorative columns flanking the stage would be restored in place during the renovation process. Existing side doors, windows, frames, and hardware would be removed and replaced. The existing transom and architectural details above the storefronts would be preserved in place, while the non-historic storefronts and the low wall at the box office would be removed. The two sets of double entrance doors would be replaced and a new entry vestibule would be created. Exterior metal fire escape stairs on the east and west sides of the building would be removed and replaced.

New storefronts for the retail and restaurant spaces, each containing 1,625 square feet, would be created on either side of the refurbished main entrance. In addition, eight new floor-to-ceiling five-foot by seven-foot, six-inch windows would be installed on the front façade at the new upper floors of the building. As shown on Figure 11, page 12, the windows would be placed on the left and right sides of the front façade above the existing second story windows (which would be retained), and four six-foot by nine-foot, six-inch floor-to-ceiling windows would be installed on the side elevations near the front corners. In addition, eight six-foot by seven-foot, six-inch windows would be installed between existing pilasters in the side elevations at the fourth floor. As shown in Figure 11 on page 12, the spaces where these windows would be inserted currently are blank walls.

A new elevator would be installed on the west side of the building to provide access to the three new floors. A central square atrium would function as a stairwell to provide additional access between the upper floors. The atrium would be partially illuminated by a new skylight on the roof. Six bicycle parking spaces would be located within the west alley.

B. PROJECT SETTING

The project site is located within the Union Street NCD in the Cow Hollow neighborhood of San Francisco. The project site is located on the block bounded by Buchannan Street to the east, Union Street to the north, Webster Street to the west, and Green Street to the south. The site is developed with an approximately 49-foot-tall, approximately 13,000-square-foot theater building which occupies nearly the entire site, except for side exit alleys on both sides of the building. The site does not have off-street parking or a loading space. The site, which measures approximately 91 feet wide by 137.5 feet deep, slopes gently downward toward the north, with the rear of the site approximately 10 feet higher than the front of the site.

Buildings in the vicinity are generally two- and three-story commercial and mixed-use (residential over ground floor retail) buildings, approximately 20 to 40 feet in height. A five-story commercial building occupied by Comerica Bank, with offices on the upper floors, is located two parcels east of the project site.

Buildings west of Webster Street tend to be taller, with numerous four-story buildings lining Union Street and other adjacent streets. An eight-story multiple-family residential building is located on the northwest corner of Green Street and Webster Street; and a five-story multiple-family building is directly opposite, on the northeast corner of the intersection.

Union Street is lined on both sides with commercial uses for many blocks east and west of the project site. The majority of buildings on the street are two or three stories tall, with residential or office uses on the upper stories. The intersecting north-south streets in the project vicinity are mainly occupied by residential uses that are multiple-story multiple-family buildings and duplexes, with a limited number of single-family houses.

A two-story red brick commercial building occupied by two restaurants, a clothing store, and accessory office space is located immediately to the east of the project site. Across the street from the project site is a three-story office building, the only building in this block of Union Street that does not have ground-floor retail uses. The three-story building to the west of the three-story office building appears to be residential, but has a small leather clothing store in part of the ground floor. The Victorian building to the east of the three-story office building is set back from the street with landscaping in the front setback area. This building is divided into numerous retail spaces including several clothing stores. The one-story building next door (to the east of the Victorian building) is also set back, allowing for an outdoor dining area for Nettie's Crab Shack.

West of the project site, the remainder of the project block along Union Street is occupied by two clothing stores and a beauty product store in one- and two-story buildings. Similar ground floor retail uses with residential units or offices in the stories above line the opposite side of the street, though in taller three-story buildings.

The south side of the project block along Green Street is developed entirely with residential buildings—predominantly single-family homes, with a number of duplexes and the previously mentioned five-story multiple-family building at the western end. Further, Green Street is lined with residential uses for many blocks in either direction. The Golden Gate Valley Branch Public Library is at the southwest corner of Green and Octavia streets. In addition, Green Street Auto Body is a few doors east of this intersection.

Residential uses also line the east and west boundaries of the project block. Along Buchanan Street are a few three-story duplexes, a four-story multiple-family building, and a seven-story multiple-family building. Webster Street is dominated by multiple-family residential buildings, with an eight-story building and a four-story building on the northeast and northwest corners of Green Street, respectively, as well as several smaller three- and four-story buildings. A lone two-story duplex is situated mid-block on the west side of the street. One non-residential use—a two-story bookstore—is near the southeast corner of Union Street on Webster Street.

Filbert Street, which runs parallel to and one block north of Union Street, is also a predominantly residential street, interspersed with the occasional retail use, particularly at intersections, and more so toward the west from the project. Buildings along Filbert are generally two to three stories in height, with an occasional four-story building, and contain single-family homes, duplexes, and multiple-family units.

The predominant scale of development surrounding the project site is two- to four-story mixed use buildings, approximately 20 to 40 feet in height. Because the majority of lots in the area are 25 feet in width and the height limit in the area is 40 feet, the massing of buildings is restrained. Corner lots are generally larger and occupied by taller and more massive buildings.

C. COMPATIBILITY WITH EXISTING ZONING AND PLANS

	Applicable	*Not Applicable*
Discuss any variances, special authorizations, or changes proposed to the Planning Code or Zoning Map, if applicable.	☒	☐
Discuss any conflicts with any adopted plans and goals of the City or Region, if applicable.	☒	☐
Discuss any approvals and/or permits from City departments other than the Planning Department or the Department of Building Inspection, or from Regional, State, or Federal Agencies.	☒	☐

Planning Code

The San Francisco *Planning Code,* which incorporates by reference the City's Zoning Maps, governs permitted uses, densities and the configuration of buildings within San Francisco. Permits to construct new buildings (or to alter or demolish existing ones) may not be issued unless either the proposed project conforms to the *Planning Code,* or an exception is granted pursuant to provisions of the *Planning Code.* Approval of the proposed project would result in partial interior demolition of the existing structure, its seismic retrofit, and adaptive re-use as a private fitness facility, which would allow intermittent use of a community theater open to the public during certain weekend hours when the fitness facility is not operating. The project would also include two new commercial spaces totaling approximately 3,250 square feet. One of them is proposed to be a 1,625-square-foot eating and drinking establishment.

Alternations to landmark structures, such as the proposed project, would also require a Certificate of Appropriateness from the Historic Preservation Commission under *Planning Code* Section 1006, which would govern review of permit applications. The proposed project, under the zoning provisions of *Planning Code* Section 725, would require Conditional Use Authorization for development on a project site larger than 4,999 square feet, for change of use from a movie theater to another non-residential use larger than 2,499 square feet, for Personal Service use (as defined in *Planning Code* Section 790.116) on the third story and above, and for a new eating and drinking establishment in the Union Street NCD.

Allowable Uses

According to *Planning Code* Section 725.1, the Union Street NCD is intended "to provide sufficient growth opportunities for commercial development that is in keeping with the existing scale and character, promote continuous retail frontage, and protect adjacent residential livability. Small-scale buildings and neighborhood-serving uses are encouraged and rear yards above the ground story and at all residential levels are protected. Most commercial development is permitted at the first two stories of new buildings, while retail service uses are not permitted above the second story (*Planning Code* Section 725.40). Controls are necessary to preserve the remaining convenience businesses and to reduce the cumulative impacts that the growth of certain uses has on neighborhood residents. Such controls prohibit additional drinking establishments and limit additional eating establishments, entertainment, and financial service uses. Most automobile and drive-up uses are prohibited in order to maintain continuous retail frontage and minimize further traffic congestion. Housing development in new buildings is encouraged above the second story. Existing residential units are protected by limitations on demolitions and upper-story conversions."

Pursuant to *Planning Code* Section 703.2(b)(1)(B)(ii), the existing theater use cannot be changed, nor can the interior of the theater be demolished, except with Conditional Use Authorization by the Planning Commission. The proposed restaurant use also would be subject to Conditional Use Authorization under Union Street NCD zoning. The retail use of the other space has yet to be determined. The proposed private fitness facility, community theater, and retail uses are compatible with each other and other uses in the Union Street NCD, and with Conditional Use Authorization would be allowed in the Union Street NCD.

Height and Bulk

The project site is within the 40-X Height and Bulk District, which permits building development to a height of 40 feet and does not restrict linear and diagonal plan dimensions (*Planning Code* Section 270). The proposed project would involve a seismic retrofit and adaptive re-use of an existing approximately 49-foot-tall building. It would not include vertical additions above the existing roof line. Since the existing building pre-dates the 40-X Height and Bulk District designation, retention of its height is allowable. Therefore, it would be compatible with the height limit of this district.

Parking

Per *Planning Code* Section 150(c), off-street parking would need to be provided in the case of a major addition to a structure or use; however, any lawful deficiency in off-street parking may be carried forward for the proposed project. Based on current *Planning Code* regulations, a 670-seat theater, such as the Metro Theater, would be required to provide 83 on-site parking spaces. Because the theater was built prior to enactment of the *Planning Code* off-street parking requirements and did not include any parking spaces; thus Metro Theater is considered to have a "lawful deficiency" of 83 parking spaces, which would be applied to any major new addition or alteration on the project site, such as the proposed project. Therefore, the proposed project would be required to provide 83 fewer spaces than otherwise required under the *Planning Code.* '

Of the proposed project's 36,250 total square feet of floor area, 27,400 square feet would be occupied floor area, and subject to the *Planning Code*'s parking requirement, and classified as "Other Retail" use by *Planning Code* Section 151. The Code requirement for parking is therefore one space for each 500 square feet up to 20,000 total square feet, and one space for each 250 square feet in excess of that threshold. The proposed project would require the provision of 70 spaces, which is less than the 83-space lawful deficiency identified above, and no parking would be required for the proposed fitness facility, retail and restaurant uses.[2] In addition, no parking would be required for the proposed restaurant use since it would be less than 5,000 square feet. The proposed project would not include any parking spaces.

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[2] Lucian Robert Blazej, Strategic Solutions, *Transportation Summary Background Report – Proposed Fitness Center Metro Theater* – 2055 Union, November 18, 2010. This document is available for public review as part of Case No. 2010.0613E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

Loading

Planning Code Section 152 does not require any freight loading space for a health club less than 100,000 square feet, nor does it require any loading space for retail or restaurant uses less than 10,000 square feet. The project would not include a freight loading space.

Plans and Policies

In November 1986, the voters of San Francisco approved Proposition M, the Accountable Planning Initiative, which added Section 101.1 to the *Planning Code* to establish eight Priority Policies. These policies, and the sections of this Environmental Evaluation addressing the environmental issues associated with the policies, are: (1) preservation and enhancement of neighborhood-serving retail uses (C, Planning Code, Allowable Uses); (2) protection of neighborhood character (E, 1c, Land Use); (3) preservation and enhancement of affordable housing (E, 3b, Population and Housing, with regard to housing supply and displacement issues); (4) discouragement of commuter automobiles (E, 5a,b,f and g, Transportation and Circulation); (5) protection of industrial and service land uses from commercial office development and enhancement of resident employment and business ownership (E, 1C, Land Use); (6) maximization of earthquake preparedness (E, 13a-d, Geology, Soils, and Seismicity); (7) landmark and historic building preservation (E, 4a, Cultural Resources); and (8) protection of open space (E, 8a and b, Wind and Shadow, and E 9a and c, Recreation). Prior to issuing a permit for any project which requires and Initial Study under the California Environmental Quality Act (CEQA), prior to issuing a permit for any demolition, conversion, or change of use, and prior to taking any action which requires a finding of consistency with the *General Plan,* the City is required to find that the proposed project or legislation would be consistent with the Priority Policies. As noted above, the consistency of the proposed project with the environmental topics associated with the Priority Policies is discussed in the Evaluation of Environmental Effects, providing information for use in the case report for the proposed project. The case report and approval motions for the proposed project would contain the Department's comprehensive project analysis and findings regarding consistency of the proposed project with the Priority Policies. In addition to the *General Plan,* some areas of the city are also addressed in specific area plans, included as elements of the *General Plan,* or included as part of a Redevelopment Plan. The project site is not within a Redevelopment Plan area, nor is it within an area plan.

D. SUMMARY OF ENVIRONMENTAL EFFECTS

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

☐ Land Use
☐ Aesthetics
☐ Population and Housing
☒ Cultural and Paleo. Resources
☒ Transportation and Circulation
☐ Noise
☒ Air Quality
☒ Greenhouse Gas Emissions
☐ Wind and Shadow
☐ Recreation
☐ Utilities and Service Systems
☐ Public Services
☐ Biological Resources
☐ Geology and Soils
☐ Hydrology and Water Quality
☒ Hazards/Hazardous Materials
☐ Mineral/Energy Resources
☐ Agricultural and Forest Resources
☒ Mandatory Findings of Significance

All items on the Initial Study Checklist that have been checked "Less than Significant Impact", "No Impact", or "Not Applicable" indicate that, upon evaluation, staff has determined that the proposed project could not have a significant adverse environmental effect relating to that topic. A discussion is included for those issues checked "Less than Significant Impact" and for most items checked "No Impact" or "Not Applicable." For all of the items checked "Not Applicable" or "No Impact" without a discussion, the conclusions regarding potential significant adverse environmental impacts are based upon field observation, staff experience, and expertise on similar projects and/or standard reference material available within the Department, such as the Department's *Transportation Impact Analysis Guidelines for Environmental Review*, or the California Natural Diversity Database and maps, published by the California Department of Fish and Game. For each checklist item, the evaluation has considered the impacts of the proposed project, both individually and cumulatively.

E. EVALUATION OF ENVIRONMENTAL EFFECTS

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
1. LAND USE AND LAND USE PLANNING— Would the project:					
a) Physically divide an established community?	☐	☐	☐	☒	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	☐
c) Have a substantial impact upon the existing character of the vicinity?	☐	☐	☒	☐	☐

Land use impacts of a proposed project are considered significant if the project would divide an established community; conflict with plans, policies, or regulations adopted for the purpose of avoiding or mitigating an environmental effect; or have a substantial adverse impact upon the existing character of the vicinity.

The project site is located on the block bound by Buchannan Street to the east, Union Street to the north, Webster Street to the west, and Green Street to the south, within the Cow Hollow neighborhood. The Marina District is to the north, Russian Hill to the east, and Pacific Heights is to the south. Van Ness Avenue (US 101) is located five blocks east of the project site, and Lombard Street (US 101) is three blocks north of the project site. The Presidio is eight blocks to the west, and San Francisco Bay is ten blocks to the north.

The proposed project would involve seismic upgrade and adaptive re-use of the landmark 670-seat Metro Theater building located on Lot 018 in Assessor's Block 0541. The project would include construction of three new floors within the existing building. The new floors would be tied to the existing concrete structure, adding approximately 23,250 square feet to the existing structure. The total building area would be approximately 36,250 square feet. The building would be converted to a 33,000-square-foot private fitness facility, with up to 2,000 square feet designated for community theater use during evening weekend hours when the fitness center is not operating. The project would also include two new commercial spaces totaling approximately 3,250 square feet of which one is proposed to be a 1,625-square-foot eating and drinking establishment.

In general, the predominant scale of development surrounding the project site is two- to four-story, small scale residential-over-retail buildings, with building heights generally between 20 feet and 40 feet. Many corner lots in the project area have buildings taller than 40 feet with larger footprints. Along Union Street, these taller buildings are mixed-use buildings with ground floor retail and dwelling units or office above. On Green Street are multiple-family residential buildings.

Impact LU-1: The proposed project would not conflict with or physically divide an established community. (No Impact)

The proposed project, the adaptive re-use of the vacant landmark Metro Theater as a fitness/health club, community theater, a drinking and eating establishment, and a retail use, may result in an increase in intensity of land uses on the project site; however, it would not disrupt or divide the physical arrangement of an established community. The project would be developed within an existing building that is part of the established neighborhood commercial Union Street. It would not create any impediment to the passage of persons or vehicles. The proposed new and expanded uses within the converted theater building would intensify the use of the site, generating additional vehicle and pedestrian traffic on Union Street and other area streets). However, the project-generated increase in vehicle and pedestrian traffic would be less than significant, as discussed further in Section E.5, Transportation and Circulation.

The surrounding uses and activities would continue without significant impediment from the proposed project. The project would not divide or disrupt an established community but would continue the same pattern of commercial uses characteristic of the Union Street NCD. Since the project would occur to or within an existing building, the project would result in *no impact* related to division or disruption of an established community.

Impact LU-2: The proposed project would be consistent with applicable land use plans, policies, or regulations of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect. (Less than Significant)

The proposed project, as discussed in Section C. Compatibility with Existing Zoning and Plans, above, would be consistent with the San Francisco *General Plan*, and the San Francisco *Planning Code*. As such, it would be consistent with local plans, policies, and code requirements as they relate to environmental effects. Environmental plans and policies are those, like the *2010 Climate Action Plan*, that address environmental issues and/or contain targets or standards, which must be met in order to preserve or improve characteristics of the City's physical environment. The proposed project would not obviously or substantially conflict with any such adopted environmental plan or policy. Therefore, the proposed project's potential to conflict with the *General Plan* or the *Planning Code,* which was adopted for the purpose of mitigating environmental effects, would be *less than significant.*

Impact LU-3: The proposed project would not have a substantial impact upon the existing character of the project vicinity. (Less than Significant)

The project site is within the Union Street NCD and within a 40-X Height and Bulk District. *Planning Code* Section 725 describes the intent of the Union Street NCD as "to provide sufficient growth opportunities for commercial development that is in keeping with the existing scale and character, promote continuous retail frontage, and protect adjacent residential livability. Small-scale buildings and neighborhood-serving uses are promoted, and rear yards above the ground story and at all residential levels are protected. Most commercial development is permitted at the first two stories of new buildings, while retail service uses are monitored at the third story and above. Controls are necessary to preserve the remaining convenience businesses and to reduce the cumulative impacts that the growth of certain uses have on neighborhood residents. Such controls prohibit additional drinking establishments and limit additional eating establishments, entertainment, and financial service uses. Most automobile and drive-up uses are prohibited in order to maintain continuous retail frontage and minimize further traffic congestion. Housing development in new buildings is encouraged above the second story. Existing residential units are protected by limitations on demolitions and upper-story conversions."

The project site consists of an existing theater building on a single lot. With the exception of a small retail store in the northwest corner, the theater building has been vacant for the past five years. Within the Union Street NCD, a movie theater, such as the former Metro Theater and the proposed community theater, is a principally permitted use. The proposed ground floor retail space is also a principally permitted use, while the proposed private fitness facility and full-service restaurant may be allowed with Conditional Use Authorization by the Planning Commission. The proposed project would be developed mostly within the existing building, with the exception of windows constructed in the front and side façades; it therefore would have no potential to alter the scale of development in the project vicinity, and the proposed uses would be consistent with surrounding NCD buildings, which are mostly two- and three-story mixed-use (residential over ground floor retail) buildings. The proposed project would be developed within the allowable height and bulk limits of the Height and Bulk District, and would include land uses that are principally permitted or potentially allowed as conditional uses by authorization of the Planning Commission.

Three new floors would be constructed within the interior of the building, resulting in a net increase of 23,250 square feet of NCD space in the Cow Hollow neighborhood. In addition, it would return the existing 13,000-square-foot building to active use. Therefore, approximately 36,250 square feet of NCD space would be added to the active inventory of NCD space on Union Street.

The proposed project, a seismic retrofit and adaptive re-use of the vacant landmark Metro Theater with fitness, community theater, retail and restaurant uses, would be consistent with the uses in the project vicinity. This area of the Cow Hollow neighborhood is predominately ground floor retail commercial uses with residential and office uses in upper floors. The area is zoned for Union Street NCD from approximately Steiner Street on the west to nearly Van Ness Avenue on the east, a distance of eight blocks. This cluster of NCD-zoned land is centered on Union Street, extending north and south for just a half block, with residential zoning along the parallel streets to the north and south. However, along Fillmore Street the NCD zoning extends northward to Moulton Street, an alley just south of Lombard Street. The proposed intermittent community theater use would not introduce a new use to the area since the Metro Theater operated from 1924 to 2006. The proposed full-service restaurant is a use represented along Union Street. The proposed private fitness facility would not introduce a new use to the area; there are already a half dozen fitness centers or clubs in the Union Street NCD, with the closest being Bay Area Boot Camp, about one block west of the project site. Although the proposed fitness club, retail, and restaurant uses would likely divert some of the customer base from similar uses in the Union Street NCD, this diversion would not change the land use character of the area. The proposed fitness, community theater, retail and restaurant uses would be consistent with the surrounding NCD uses previously discussed in Section B. Project Setting. Therefore, the proposed project would not result in a substantial impact to land use character; the proposed project's impact on land use character would be considered *less than significant*.

Impact C-LU-4: The proposed project, in combination with past, present, or reasonably foreseeable future projects in the vicinity, would result in less-than-significant cumulative land use impacts. (Less than Significant)

There is no active Planning Department case on the project block, nor is there a project under review by DBI or recently approved by the Planning Department and DBI. The closest active Planning Department case on file is the construction of an eight-story, approximately 82,500-square-foot residential building at 1650 Broadway, over 2,500 feet from the project site. There is no Planning Department case on file within one-quarter mile of the project site.

The project would not result in any significant cumulative land use impacts, since it would not divide an established community or cause a substantial adverse change in land use character in the project vicinity, and thus could not contribute to any overall cumulatively considerable change in land use character. The proposed project also would not conflict with any applicable plans adopted for the purpose of mitigating environmental impacts. Thus, land use impacts, both project-specific and cumulative, would be *less than significant.*

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
2. AESTHETICS—Would the project:					
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and other features of the built or natural environment which contribute to a scenic public setting?	☐	☐	☒	☐	☐
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area or which would substantially impact other people or properties?	☐	☐	☒	☐	☐

A visual quality/aesthetic analysis is somewhat subjective, and hence, this Aesthetics section considers the project design in relation to the surrounding visual character, heights and building types of surrounding uses, its potential to obstruct scenic views or vistas, and its potential for light and glare. The proposed project's specific building design would be considered to have a significant adverse environmental effect on visual quality only if it would cause a substantial demonstrable negative change. The proposed project, an active re-use of an existing building, would retain and preserve in existing character-defining features, but would not meet the Secretary of the Interior's Standards for the treatment of historic properties.

Impact AE-1: The proposed project would not result in a substantial adverse impact on scenic views and vistas. (No Impact)

The predominant scale and character of development within the project vicinity consist of two- and three-story mixed-use buildings (residential and office over ground floor retail) up to 40 feet in height, with taller buildings occupying corner parcels. The project area is fully developed, with the exception of a public park on the southwest corner of Green and Gough streets, approximately six blocks from the project site. As a result, the only publicly accessible scenic views in the immediate site vicinity are down the narrow view corridors defined by area streets. Looking west from the project site, the primary view consists of Union Street, which slopes upward in the distance, densely flanked by buildings. On the horizon defined by the cresting hill, the tops of trees in the Presidio rise above the roadway. Toward the east, the roadway rises in the distance and views are provided of a number of high-rise buildings on Russian Hill.

There are views of San Francisco Bay along the nearby north-south streets. Looking north along Webster Street from Union Street, the street drops away gently to reveal a distant view of San Francisco Bay, with the hills of Angel Island rising from the distant horizon. Although the Bay is eight blocks from this location and represents a tiny fraction of the total viewshed, it nonetheless adds a scenic element to the view, and contributes to the scenic quality. Looking in the opposite direction from the same vantage point, the street climbs toward Pacific Heights and is flanked by some of the taller buildings in the area. In a distance of four blocks, the elevation along Webster Street increases by more than 180 feet. While there is no natural element in this view other than street trees, it provides a characteristic view of San Francisco's noteworthy steep streets. A similar street view, though slightly less steep, is available from Buchanan Street at Union Street looking toward the south. In the view to the south from this location the distant view of the Bay is blocked by an intervening building in the distance, with the hills of Angel Island visible in the distance above the building. Although these distant hills add a scenic element to the view, they comprise a very small portion of the total viewshed.

The proposed project would adaptively re-use the existing Metro Theater building, and would not construct any exterior additions to the building. The majority of the project construction would occur inside the building, with renovations also occurring on the exterior. Therefore, the proposed project would have a *less-than-significant* impact on scenic vistas.

Impact AE-2: The proposed project would not substantially damage any scenic resources. (Less than Significant)

The project site is entirely developed with impermeable surfaces, and does not contain a natural resource. The proposed project would retain the existing building, replacing the existing storefront façades on Union Street, constructing a new entrance, replacing doors and windows, and making other minor modifications to the building's exterior. There are no scenic resources on the project site. Therefore, the project would have a ***less-than-significant*** impact on scenic resources.

Impact AE-3: The proposed project would not degrade the existing visual character or quality of the site and its surroundings. (Less than Significant)

As discussed in Section E.1. Land Use and Land Use Planning, the project site and vicinity are primarily dominated by two- and three-story, 20- to 40-foot-high, mixed-use buildings. Union Street is fully built out and developed with an array of storefront buildings in a variety of styles, with Victorian architectural influences strongly present. The buildings have been developed at a pedestrian-friendly scale. As previously noted, two buildings directly opposite the project site are set back, allowing for landscaping and a sidewalk café. Other sidewalk dining areas, with or without setbacks, are found in other blocks of Union Street. The combination of setbacks, varied architecture, recessed areas, and projecting bays creates a highly articulated and diverse streetscape along Union Street.

The Metro Theater building was constructed as a neighborhood theater on the project site in 1924, and has been regarded as a compatible commercial use among the varied commercial development on Union Street. The proposed project would rehabilitate the existing building and convert its use. 'The existing, non-original storefront and ancillary theater areas would be expanded and renovated. The currently boarded-up central entrance would be developed with a new entrance vestibule. The exterior of the building, including blade sign and marquee, would be restored and revitalized. The project would retain and preserve the character-defining exterior features identified by the Board of Supervisors when the Metro Theater was designated a landmark in 2009.

The most notable exterior change would be the construction of floor-to-ceiling windows at each new upper floor of the building. As shown on Figure 11, page 12, these large windows would be installed on the front façade at the new third and fourth stories above the existing windows (which would be retained), large floor-to-ceiling windows on the side elevations near the front corners at the third and fourth stories, and wider windows would be installed on the fourth story toward the rear of the building.

These windows would break up what are currently large, blank walls at the upper portion of the front façade and on the sides of the building.

For the reasons discussed above, the proposed project would have a *less-than-significant* impact on the existing visual character of the site and its surroundings.

Impact AE-4: The proposed project would result in a new source of light and potential glare, but not to an extent that would affect day or nighttime views in the area, or which would substantially affect other people or properties. (Less than Significant)

As discussed previously, buildings in the area are of similar scale and character, that is, two- and three-story mixed-use buildings with residential and office uses above ground floor retail. Surrounding buildings, including storefronts, signs, and street lighting, contribute to the existing nighttime lighting conditions in the project vicinity. Nighttime light at the project site would not change substantially from what it was prior to closure of the theater in 2006, but would introduce new lighting in comparison with current lighting of the building. In comparison with lighting of the building when the theater was operational, the proposed new windows on the front and side façades of the building would introduce new sources of light, which would be typical of other buildings in the project vicinity. The proposed new fitness facility windows would comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. The tall blade sign of the Metro Theater would be re-illuminated as would the front marquee sign, which would not introduce new sources of light compared to when the theater was operational. Any new retail and restaurant tenant lighting would comply with *Planning Code* Article 6, Signs, and would be consistent with other commercial lighting in the Union Street NCD. Nighttime interior lighting from the retail and restaurant spaces would be visible from the sidewalk and street, particularly the restaurant. Similarly, nighttime interior lighting on the upper stories would be visible from the street. Exterior lighting at the building entries would be directed downward to minimize glare, and lighting would be consistent with light produced by existing land uses and street lighting in the project vicinity. Like the fitness facility signs, the proposed project's retail and restaurant uses would be required to comply with Planning Commission Resolution 9212, which prohibits the use of mirrored or reflective glass. The new lighting would contribute to pedestrian safety on Union Street. For the reasons set forth above, the proposed project would have a *less-than-significant* impact on light and glare.

Impact C-AE-5: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project vicinity, would result in less-than-significant impacts to aesthetic resources. (Less than Significant)

As discussed previously, there are no active building permits on Union Street in proximity to the project. The project would not result in any significant impact with respect to aesthetics since it would not obstruct a scenic view, would not substantially damage a resource of the natural or scenic environment, would not result in substantial demonstrable impacts to visual character and quality and would not create new sources of light and glare that could adversely affect day or nighttime views, and thus would not contribute to any overall cumulatively considerable change in aesthetics. Thus, aesthetic impacts, both project-specific and cumulative, would be *less than significant.*

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
3. POPULATION AND HOUSING— Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	☐
b) Displace substantial numbers of existing housing units or create demand for additional housing, necessitating the construction of replacement housing?	☐	☐	☐	☒	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☐

The proposed project includes the seismic retrofit and adaptive re-use of an existing theater building. The project site does not include residential uses, nor does the project site propose residential uses, therefore the proposed project would have *no impact* with respect to displacement of existing housing (E.3.b) or displacement of people that necessitates the construction of replacement housing elsewhere (E.3.c). The potential for the proposed project to induce population growth is addressed below.

Impact PH-1: The proposed project would not induce substantial population growth, either directly or indirectly. (Less than Significant)

The proposed project includes the seismic retrofit and adaptive re-use of an existing theater which has been vacant since 2006, as discussed in Section A. Project Description. A women's clothing store occupies a small retail space in the northwest corner of the building. The proposed partial interior demolition of the building would result in the displacement of a retail tenant. This tenant would need to relocate to other appropriate retail building space. However, the project would include an expanded, renovated retail space and a restaurant space totaling approximately 3,250 square feet, more than double the existing retail space. The proposed project therefore would result in a net increase of roughly 1,600 square feet of retail space in the Cow Hollow neighborhood. (With the conversion of the currently vacant theater space into a private health and fitness facility and addition of the 33,000-square-foot private fitness facility, the proposed project would result in a total net addition of 23,250 square feet of floor area, including the expanded retail space and the restaurant.

Existing vacant retail space is available along Union Street in close proximity to the project site. For this reason, the displacement of the existing retail tenant would not be a significant adverse project impact. Furthermore, the existing building is not seismically sound, as determined by a structural evaluation of the building.[3] The proposed seismic retrofit of the building would allow commercial use of a building that would otherwise not be usable in the Cow Hollow neighborhood.

The proposed private fitness facility, expanded retail space, and a restaurant would generate new jobs. The project sponsor estimates that the project could employ approximately 50 new part-time employees.[4] These new jobs are not likely to attract new employees to San Francisco because service and retail jobs typically do not provide wages high enough to induce relocation. As such, potential jobs at the site would likely be filled by residents within the San Francisco Bay Area. Therefore, the proposed project would not result in a substantial increase in population in the City or region and the proposed project's potential to induce population growth would be ***less than significant***.

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[3] Holmes Culley, *Structural Evaluation Report: Metro Theater, 2055 Union Street, San Francisco, CA*. Project Number 07147.10. March 2008, *op.cit*.

[4] Sebastyen Jackovics, project sponsor, telephone conversation with Stu During, January 17, 2011.

Impact PH-2: The proposed project would not displace housing units, create a demand for additional housing, or displace a substantial number of people necessitating the construction of replacement housing elsewhere. (No Impact)

The project site does not currently include residential uses, nor does the proposed project include residential uses; therefore the proposed project would have *no impact* with respect to displacement of existing housing or displacement of people that necessitates the construction of replacement housing elsewhere. The potential for the proposed project to induce population growth is addressed above under Impact PH-1.

Impact C-PH-3: The proposed project, in combination with past, present, and reasonably foreseeable future development in the project vicinity, would result in less-than-significant cumulative impacts on population and housing. (Less than Significant)

The project would not result in any significant impact with respect to population and housing since the proposed project does not contain any residential uses and would not result in demolition of existing housing or necessitate the construction of replacement housing. The proposed creation of a new private fitness facility, retail and restaurant spaces would require new employees to staff these new uses; however, it is anticipated that new jobs would be filled by existing residents in the Bay Area and therefore, would not result in a substantial population increase. The proposed fitness, community theater, and retail spaces would not contribute to any cumulative impacts to population and housing. Therefore, impacts to population and housing, both project-specific and cumulative, would be *less than significant.*

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
4. CULTURAL AND PALEONTOLOGICAL RESOURCES—Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5, including those resources listed in Article 10 or Article 11 of the San Francisco *Planning Code*?	☐	☒	☐	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☐	☒	☐	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐	☐
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐	☐

Impact CP-1: The proposed project would result in a less-than-significant impact to a historic architectural resource. (Less than Significant with Mitigation)

Historical resources are those properties that meet the terms of the definitions in Section 21084.1 of the CEQA Statute and Section 15064.5 of the CEQA Guidelines. "Historical Resources" include properties listed in, or formally determined eligible for listing in, the California Register of Historical Resources, or listed in an adopted local historic register. The term "local historic register" or "local register of historical resources" refers to a list of resources that are officially designated or recognized as historically significant by a local government pursuant to resolution or ordinance. Historical resources also include resources identified as significant in a historical resource survey meeting certain criteria. Additionally, properties that are not listed but are otherwise determined to be historically significant, based on substantial evidence would also be considered historical resources.

The Metropolitan Theatre opened in 1924 under the ownership of Samuel Levin, a San Francisco movie entrepreneur, and his brothers Alex and Joseph. The Metro was built in a boom time for theaters and in particular, was part of the development of neighborhood facilities throughout the United States in the 1920s. Of the City's numerous neighborhood theaters built between 1906-1945, 23 are identified as contributors to a nominated San Francisco Neighborhood Movie Theater Non-Contiguous Multiple Property Historic District.[5] The Metropolitan Theatre building was originally constructed in the Spanish Colonial Revival style by the Reid Brothers, a San Francisco architecture firm that designed approximately 20 movie theaters during the 1920s and 1930s.[6] The building was extensively remodeled in the Art Deco style in 1941 by architect Otto A. Deichmann and underwent a second major renovation in 1998. The building is a two-story, 48.5-foot-tall reinforced concrete theater with ground floor retail space. The building is clad in smooth stucco and is capped by a flat roof with a shaped parapet. The primary

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[5] Page & Turnbull, *Historic Resource Evaluation (Final), Metro Theater, 2055 Union Street, San Francisco, CA*. October 4, 2010. This document is available for public review at the San Francisco Planning Department at 1650 Mission Street, Suite 400, San Francisco, CA 94103, as part of Case File No. 2010.0613E.

[6] *Ibid.*

(north) façade is three bays wide with a central recessed entry. A vertical blade sign reading "Metro Theatre" in neon letters hangs in the center of the façade with a rectangular-shaped neon marquee below. The upper floors feature simple plaster details.[7]

As originally constructed in 1924, the interior of the theater featured a lobby and a large auditorium with a balcony. The building was remodeled in 1941, and the lobby and auditorium were redecorated and reconfigured. In 1998, the building was again remodeled, including the removal of the 1941 lobby finishes, and the exposure and restoration of a ceiling mural in the lobby which had been covered by previous alterations. The current state of the interior reflects these changes. The lobby has undergone several renovations and contains decorative molding dating to 1924 and scroll brackets and simple pilasters with egg-and-dart molding date to 1998. On the east and west walls are arched niches with murals dating to 1998. Over the main portion of the lobby, the ceiling is painted with an early Art Deco floral motif, uncovered and restored in 1998.[8]

Within the auditorium are hung 1941-era Art Deco chandeliers. The east and west walls include elaborate wall-to-wall Moderne murals installed in 1941 by Anthony Heinsbergen. The 1924 full balcony was replaced by stepped seating in 1941, and the 1941-era wood floors and Art Deco balustrades from this era are still extant. The backstage area (behind the movie screen) includes a number of features and details that date to the original 1924 construction. Behind the screen are a shallow, raised wooden stage with footlights, wood support trusses for the screen, a large curtain with a pulley system, and the 1941 proscenium. As part of the theater renovations, angled walls finished with acoustical panels were added at the south end of the auditorium, creating triangular backstage spaces in the corners of the auditorium. In these unfinished spaces, the original organ grille work exists at the second floor level, but is significantly damaged. Also visible in this location is an original pair of engaged Ionic columns capped with eagle finials are still visible along the east and west walls.[9]

The Metro Theater has a partial second floor at the north end which houses storage rooms and an office. A hallway, currently used as additional storage space, connects two second-floor rooms. The hallway has a mosaic floor and a curved plaster ceiling with decorative painted trim. The walls of the hallway are finished with plaster, and the south wall has a small door with seams of a larger former opening visible around it. Additional decorative paintings, a ramp, and the exposed wood framing of the balcony are visible through the small door, suggesting that this was originally a grand entrance to the balcony level that was reconfigured as part of the 1941 addition.[10]

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[7] San Francisco Planning Department, *Historic Resources Evaluation Response*, Memorandum from Shelley Caltagirone, Preservation Technical Specialist, to Irene Nishimura, May 11, 2011. This document is available for public review as part of Case No. 2010.0613E at San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

[8] Page & Turnbull, *Historic Resource Evaluation (Final), Metro Theater, 2055 Union Street, San Francisco, CA*. October 4, 2010, *op.cit*.

[9] *Ibid*.

Historical Significance of the Metro Theater

The subject property is San Francisco Landmark No. 261, the Metro Theater, designated in 2009. The property is considered a "Category A" property (Known Historic Resource) for the purposes of the Planning Department's California Environmental Quality Act (CEQA) review procedures. Alternations to landmark structures, such as the proposed project, would also require a Certificate of Appropriateness from the Historic Preservation Commission under *Planning Code* Section 1006, which would govern review of permit applications.

Under *CEQA Guidelines* Section 15064.5(a),[11] a property is determined to be a historical resource if it meets the criteria for listing on the California Register of Historical Resources (*Public Resources Code,* Section 5024.1, Title 14 CCR, Section 4852) including the following:

- *Criterion 1:* Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- *Criterion 2:* Is associated with the lives of persons important in our past;
- *Criterion 3:* Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values;
- *Criterion 4:* Has yielded, or may be likely to yield, information important in prehistory or history.

To be eligible for the California Register, a property must not only meet at least one of the criteria of significance but must also retain enough of its historic character or appearance to be recognizable as a historical resource and to convey the reasons for its significance [CCR Section 4852 (c)]. According to National Register Bulletin 15, the seven aspects of integrity are location, design, setting, materials, workmanship, feeling, and association.

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[10] *Ibid.*

[11] The California Environmental Quality Act (CEQA) was originally enacted in 1970 in order to inform, identify, prevent, and disclose to decision-makers and the general public the effects a project may have on the environment. Historical resources are included in the comprehensive definition of the environment under CEQA.

Based on information in the Planning Department's files and provided by the project sponsor, the Planning Department determined that the subject property is individually eligible for the California Register of Historical Resources under Criteria 1 (Event) and 3 (Architecture), as described below.

A Historic Resource Evaluation (HRE) was prepared for the Metro Theater by Page & Turnbull, Inc., in October 2010.[12] The HRE determined that the Metro Theater appears eligible for designation as a local landmark under: (1) Criterion 1 (Event), for its association with the development of single-screen neighborhood theaters in San Francisco and for its association with the inauguration of the San Francisco International Film Festival; and (2) Criterion C (Architecture/Design), for embodying the distinctive characteristics of the neighborhood theater building type constructed in San Francisco during the first decades of the 20th Century, and as a property that "represents the work of a master," (the Reid Brothers, a prominent local architecture firm well known as Bay Area theater designers).

The San Francisco Planning Department prepared a Historic Resource Evaluation Response (HRER) for the theater building in May, 2011.[13] The HRER determined that the Metro Theater is a historical resource under CEQA, and is individually eligible for the California Register of Historical Resources under Criterion 1 (Event) for its association with the development of single-screen neighborhood theaters in San Francisco between 1906 and 1930 and for its association with the San Francisco International Film Festival, which was initiated in 1957 and was held there until 1964. The Metro Theater contributed to the trend of neighborhood theater development in San Francisco and served both the Cow Hollow and the Marina neighborhoods. The building was originally designed by the Reid Brothers and then remodeled in 1941 by Otto Deichmann, both recognized as master architects specializing in theater design in the Bay Area until the 20th Century. As such, these architects deeply influence this period of theater development in San Francisco. In addition, as noted in Page & Turnbull's report, the San Francisco International Film Festival was the first festival in North America to be officially sanctioned by the International Federation of Film Producers Associations, the governing body of all international film exhibitions, and the Metro Theater played a large role in its early success. The festival was established by Irving Levin, son of the original Metropolitan Theatre owner, Samuel Levin, both of whom played a significant role in the development of neighborhood theaters in the city. The period of significance for the building under Criterion 1 (Event) is 1924-1957, encompassing the date of the neighborhood theater's original construction through the establishment of the San Francisco International Film Festival.

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[12] Page & Turnbull, *Historic Resource Evaluation (Final), Metro Theater, 2055 Union Street, San Francisco, CA*. October 4, 2010, *op.cit*.

[13] San Francisco Planning Department, *Historic Resources Evaluation Response*, Memorandum from Shelley Caltagirone, May 11, 2011, *op.cit*.

The Planning Department also determined that the Metro Theater is individually eligible for the California Register of Historical Resources under Criterion 3 (Architecture) as an excellent example of early 20th Century neighborhood theater architecture that combines elements of the Spanish Revival and Art Deco architectural styles. The Planning Department disagrees with the Page & Turnbull assessment that the building also qualifies for listing under Criterion 3 as an example of the work of a single master, because neither the 1924 James and Merritt Reid design nor the 1941 Otto Deichmann design retain sufficient integrity of design, workmanship, feeling, or materials to adequately represent the building as an example of either architect's work. Instead, the Planning Department finds that the building's association with these architects should be considered under Criterion 1 for their association with neighborhood theater development in San Francisco during the early 20th Century. (See Criterion 1 of the HRER.) Instead of representing the work of a single master architect, the Metro Theater building is an amalgamation of the two designs by the Reid brothers and Deichmann, which combine to represent the history of this particular early 20th Century single-screen neighborhood theater. The building's renovation history is significant as part of the larger trend in theater development in the first half of the 20th Century to adapt older buildings to the modern tastes of the mid-century public. Therefore, the Deichmann design is a later alteration to the building that also contributes to the historical significance of the Metro Theater as representing the distinctive characteristics of an early 20th Century single-screen neighborhood theater building. The period of significance for the building under Criterion 3 (Architecture/Design) is 1924-1941, encompassing the two construction phases and falling within the broader period of significance established under Criterion 1.

Integrity. The existing building retains architectural elements from all three construction phases noted above – 1924, 1941, and 1998. The original building featured a lobby and large auditorium space with a balcony. The following elements have been retained from the original Reid Brothers design: the building's overall shape and massing; the Spanish Revival-style shaped parapet and plaster details; the lobby ceiling mural (restored in 1998); the coffered ceilings in the foyer and the auditorium; remnants of the organ grille, engaged Ionic columns, and painted finishes located in the triangular spaces behind the 1941 acoustical walls.

In 1941, the theater was remodeled in the Art Deco style. At this time, the façade was stuccoed and largely stripped of the Spanish Colonial Revival-style ornamentation, the sign blade and marquee were replaced, the storefronts were altered, and the name of the theater was shortened to "Metro" from "Metropolitan." At the interior, the lobby wall and ceiling finishes were altered, the balcony was eliminated, the auditorium floor was re-graded to provide tiered seating, the auditorium coffered ceiling was painted, and murals designed by Anthony Heinsbergen were installed on the side walls of the auditorium. The following elements have been retained from the 1941 Deichmann design: the Art Deco façade elements; the sign blade and marquee; the auditorium chandeliers; the Heinsbergen murals; the auditorium ceiling finishes; a large portion of the auditorium floor; and the auditorium balustrades.

In 1998, the building was remodeled for the last time. The entry vestibule was enclosed; the 1941 lobby finishes were removed; the 1924 lobby ceiling mural was exposed and restored; new finishes and decorative molding were installed around the base of the lobby ceiling; and metal handrails, mosaic tile walls, a concession stand, simple pilasters with egg-and-dart molding, arched niches with murals, lighting, carpeting and aluminum poster display cases were installed in the lobby. The plan was also altered by subdividing the commercial space at the northeast corner of the building into several small rooms connected to the lobby. In the auditorium, the grade of the lower level was flattened, a stepped wood platform for the new loggia seating was attached to the existing seating platform, and new balustrades to match those in other parts of the auditorium were installed.

As established under the discussion of historical significance, the Metro Theater is significant as an amalgamation of early 20th Century single-screen theater design and for its association with neighborhood theater development and the San Francisco International Film Festival. Therefore, the alterations that occurred within the broad period of significance of 1924-1957 contribute to the significance of the historical resource. The alterations that occurred after the period of significance have not significantly diminished the historic integrity of the resource. The building retains its original location and its neighborhood commercial setting. Because of the retention of many of its Reid Brothers and Deichmann design elements, examples of workmanship, and materials, the theater also retains its association with and feeling of a neighborhood theater. Therefore, the historic theater building's character-defining features remain sufficiently intact on the exterior and within the interior public spaces to convey its historical significance.

If a property has been determined to have historical significance and to retain integrity, then it must retain the essential physical features that enable it to convey its historic identity in order to avoid significant adverse impacts to the historical resource. These essential features are those that define both why a property is significant and when it was significant, and without which a property can no longer be identified as being associated with its significance. The Planning Department determined that the following character-defining features should be preserved as elements that express the Metro Theater's identity as a single-screen neighborhood theater, as elements that are typical of early 20th Century-era theater design in San Francisco, and as elements identified with the appearance of the building at the inaugural of the San Francisco International Film Festival:

Exterior Features:

a. Multi-story form and massing,

b. A recessed entry,

c. Projecting marquee with neon lighting,

d. Vertical blade sign with neon lighting,

e. The Spanish Colonial Revival and Art Deco period façade elements, including the pilasters, parapet, and plaster ornamentation,

f. The second story window openings.

Interior Features:

g. Regular rectangular plan divided into principal spaces of lobby and auditorium,

h. Heinsbergen Design Company murals located inside the auditorium.

Analysis of Project Impacts on the Historic Integrity of the Metro Theater.[14] A project would not have a significant impact on a historically significant resource if the project would be consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties. As noted in the project description (pages 1, 14, and 15, and Figures 7 to 12, on pages 7 to 13), and on project plans dated March 31, 2011,[15] the project would include:

- Installation of a total of eight new window openings at the third and fourth floor levels of the front façade. The windows would align with the historic window openings below and would be within the recessed plaster panel, which is a remnant of the 1924 façade design.
- Installation of six new window openings at each of the east and west secondary facades with one window at the third floor level and five windows at the fourth floor level.
- Replacement of the 1941 aluminum-frame storefront systems with new metal-framed storefronts. The storefronts would have a minimum 8-inch-tall bulkhead at the base and would have framed display windows and doors (no butt-glazing).
- Installation of retail tenant signage at both storefronts between the plaster stringcourse and the transom windows, installation of the health/fitness center tenant sign on the historic marquee, and installation of vertical retail tenant signage on the secondary facades. The historic blade sign would remain.

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[14] *Ibid*

[15] Kahn Design Associates, project plans, March 31, 2011. This document is available for public review as part of Case No. 2010.0613E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

- Replacement of the non-historic entrance doors with new entrance doors and restoration of the exterior foyer. The footprint of the restored foyer would align with the historic coffered ceiling above. The coffered ceiling would be removed and reconstructed approximately 1.5-foot lower to accommodate the new second floor plate and the re-graded ground floor.
- Installation of an elevator penthouse and a skylight at the roof.

At the interior, the project would include:

- Removal of the existing sloped and tiered floor, the coffered auditorium ceiling, all interior partition walls, staircases, stage, and screen.
- Alteration of the historic lobby space by lowering the floor-to-ceiling height by approximately 2 feet and removing the approximately 10-foot-wide flanking theater and restroom circulation areas. Alteration of the foyer space by lowering the floor-to-ceiling height by approximately 1.5 feet. The existing 1924 ceiling finishes would be partially recreated on the new ceiling as shown in drawing A.5.1 dated March 31, 2011.[16]
- Construction of three new floor plates within the existing interior volume to divide the space into three full floors and one mezzanine floor. Per drawing A.2.3 dated March 31, 2011, the third floor would be pulled away by approximately 5 feet from the side walls at the Heinsbergen auditorium murals.[17] Per drawing A.2.2 dated March 31, 2011 part of the second floor would be pulled back by approximately 5 feet from the wall to provide clearance for the columns.[18] Also, the third floor would be pulled back from the rear wall by approximately 28 feet to allow for a two-story auditorium space at the rear of the theater building.
- Preservation, restoration, and/or reconstruction of the currently existing columns and pilasters that flank the screen wall or are in the vicinity of the stage.
- Reconstruction of a remnant of the historic auditorium ceiling finishes below the fourth floor plate in the depth framed by the 1924 columns.
- Installation of a central atrium through the new floor plates for stairs, and installation of an elevator on the west wall.

The Planning Department disagrees with the Page & Turnbull assessment that the project, as proposed, would not have a significant impact to the historical resources. Staff finds that the project would not sufficiently retain the interior features that have been identified as significant, specifically the regular rectangular plan divided into principal spaces of lobby and auditorium. The project, as proposed, would largely eliminate the historic footprint, volume, and spatial relationship of the lobby and auditorium spaces. Without these features, the historical significance of the building as a theater would no longer be expressed on the interior, and would therefore result in a ***significant*** historical resource impact.

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[17] Ibid, Sheet A2.3.

[17] Ibid, Sheet A2.3.

[18] Ibid, Sheet A2.2..

The Planning Department has identified Mitigation Measures M-CP-1a – M-CP-1d, which would reduce the historic architectural impacts to *less-than-significant* levels.

Mitigation Measures M-CP-1a – M-CP-1d: Historic Architectural Resources

The following mitigation measures would reduce impacts of the project to less-than-significant levels by retaining and restoring the elements of the interior with the highest artistic value and by creating an interpretative program that presents the building's history to the public, ensuring that its future users will understand the building's historical significance. As noted in the discussion of the building's integrity, the Metro Theater's interior has been compromised over the years by a succession of alterations. In its current state, the original building design is indiscernible to the visitor. While sufficient material remains to convey the original plan and shape of the principal spaces, much of the ornamentation has been lost. The mitigation measures would reduce the impact of the project to the interior plan and spatial arrangement by restoring some of the building's original interior ornamentation while also providing a historic context through the interpretative display that allows the visitor to understand the building's former grandeur. In addition, the film program would preserve the social and cultural significance of the building as a neighborhood theater by continuing to use the building to view films.

Mitigation Measure M-CP-1a

The project sponsor shall complete HABS Level III documentation for the resource prior to Planning Department approval of any building permits application. HABS Level III documentation shall include existing condition plans and elevations or plans and elevations from the period of significance; large-format or rectified digital photographs of the exterior and interior; and, a narrative description.

Mitigation Measure M-CP-1b

The project sponsor shall install an on-site interpretative display designed by a qualified historic preservation professional describing the building's historical significance and including historic images of the building. The interpretive display as proposed shall be approved by Planning Department preservation staff prior to Planning Department approval of any building permit application. The interpretive display installation shall be included in construction plans and shall be completed before Certificate of Occupancy is issued by the Department of Building Inspection (DBI).

Mitigation Measure M-CP-1c

Equinox as Tenant of the project shall allow use of the two story group exercise space available to the public as a multi-purpose auditorium for up to 18 events throughout the year during non-club operation weekend hours, subject to scheduling and program content being approved by Equinox. Any additional expenses aside from rent (which will not be charged) and utilities, associated with the events will be the responsibility of the third party using the space.

Mitigation Measure M-CP-1d

The project sponsor shall engage an architectural finishes conservator to plan and oversee the restoration and/or recreation of the foyer coffered ceilings, the lobby ceiling murals, the 1924 auditorium columns, the auditorium ceiling remnant, and, during construction, the preservation of the Anthony Heinsbergen murals. A contract for the conservator oversight with specifications for the restoration work shall be completed and approved by the Planning Department preservation staff prior to Planning Department approval of any building permit application.

Impact CP-2: The proposed project would not result in damage to, or destruction of, as-yet unknown archeological remains, should such remains exist beneath the project site. (Less than Significant)

Factors considered in determining the potential for encountering archeological resources include the location, depth, and the amount of excavation proposed, as well as any existing information about known archaeological or historical resources in the area. According to the Structural Evaluation Report prepared for the project, summarized in Section E.14, Geology and Soils, the project would involve excavating and replacing the existing foundation. According to the project sponsor, excavation would be limited to the existing fill that was used to level the project site prior to construction of the Metro Theater, remove the sloping floor, and new structural columns' footings, and the elevator pit. Excavation would be limited to an estimated maximum depth of three feet which would amount to a maximum of 100 cubic yards of soils.

Because of the limited amount of excavation that would occur with the proposed project, archeological resources are not expected to be encountered, and impacts from the project on archeological resources would be *less than significant.*

Impact CP-3: The proposed project would not result in damage to, or destruction of, as-yet unknown paleontological resources, should such remains exist beneath the project site. (Less than Significant)

Paleontological resources include fossilized remains or traces of animals, plants, and invertebrates, including their imprints, from a previous geological period. Collecting localities[19] and the geologic formations containing those localities are also considered paleontological resources. They represent a limited, nonrenewable, and impact-sensitive scientific and educational resource. Because no known paleontological resources exist at the project site and project vicinity, and because the project would involve limited excavation as described above, the proposed project is not expected to result in any adverse effects on paleontological resources. Therefore, project impacts would be *less than significant.*

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[19] Identified locations where Paleontological resources exist.

Impact CP-4: The proposed project would result in less-than-significant impacts to human remains. (Less than Significant)

There is no record of the site being used as a burial ground nor have any human remains been identified below the surface of the project site. Because of the fact that excavation would be limited to existing fill, it is not anticipated that excavation for the proposed project would encounter any human remains. Therefore, the proposed project would have a *less-than-significant* impact on human remains.

Impact C-CP-5: The proposed project, in combination with past, present, and reasonably foreseeable future projects in the vicinity, could result in significant cumulative impacts to cultural resources. (Less than Significant with Mitigation)

The project, with mitigation, would not result in any significant impact with respect to cultural and paleontological resources. There are no identified cumulative projects within the vicinity. The proposed project, with mitigation measures incorporated, would retain and restore the elements of the interior with the highest artistic value, and would create an interpretative program that presents the building's history to the public that could ensure that its future users would understand the building's historical significance. Therefore, impacts to historic architectural resources would be less than significant and the proposed project would not result in cumulative impacts to historic architectural resources. The proposed project would also not be anticipated to affect paleontological resources, given the limited extent of subsurface disturbance required for the proposed project. The proposed project would also not be anticipated to have a significant effect on archeological resources or human remains. As such, the proposed project would not result in cumulative impacts to archeological resources, including buried human remains, or paleontological resources. The proposed seismic upgrade and adaptive re-use of the Metro Theater would not contribute to any cumulative impacts to cultural or paleontological resources. Therefore, both project-specific and cumulative impacts would be *less than significant with mitigation.*

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
5. TRANSPORTATION AND CIRCULATION—Would the project:					
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐	☐
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	☐
c) Result in a change in air traffic patterns, including either an increase in traffic levels, obstructions to flight, or a change in location, that results in substantial safety risks?	☐	☐	☐	☐	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses?	☐	☐	☐	☒	☐
e) Result in inadequate emergency access?	☐	☐	☐	☒	☐
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐	☐

The project site is located at 2055 Union Street, on the block bound by Union Street on the north, Buchanan Street to the east, Green Street to the south and Webster Street to the west. The proposed project includes the seismic retrofit of the existing building and conversion of its use to private fitness facility, restaurant use, and expansion of the existing retail use.

Regional access to the project area is provided by United States Highway 101 (U.S. 101), which connects San Francisco to the north via the Golden Gate Bridge and to the south, and runs along Lombard Street and Van Ness Avenue. Lombard Street is a designated Major Arterial Street .[20,21] It is also designated a

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[20] San Francisco General Plan, Transportation Element, Map 6 and Map 7.

Transit Important Street (priority is given to transit vehicles over autos during commute and business hours on weekdays) in the San Francisco *General Plan.* A six-lane (three in each direction) east-west thoroughfare, Lombard Street, has prohibited left turns at a number of intersections during the morning and evening commute periods. Like Lombard Street, Van Ness Avenue is also designated a Major Arterial Street and a Transit Important Street in the *General Plan,* has three travel lanes in each direction, and has prohibited left turns at a number of intersections.

Union Street is a two-way east-west arterial that runs between Lyon Street and Front Street (there is a break at Calhoun Street in the Telegraph Hill neighborhood). Union Street is designated a Citywide Pedestrian Network Street from Lyon Street to Van Ness Avenue; a Secondary Transit Street from Lyon Street to Stockton Street; and a Neighborhood Commercial Street from Lyon Street to Polk Street..[22]

Webster Street is a two-way north-south roadway that runs between Marina Boulevard to the north and Duboce Avenue to the south. In the vicinity of the proposed project, Webster Street has one lane in each direction and unmetered on-street parking on both sides of the street.

Buchanan Street is a two-way, north-south roadway that runs between Marina Boulevard to the north and Duboce Avenue to the south. In the vicinity of the proposed project, Buchanan Street has one lane in each direction and unmetered on-street parking on both sides of the street.

Fillmore Street runs between Marina Boulevard and Duboce Avenue. It is a two-way north-south street with one travel lane in each direction. In the vicinity of the proposed project, Fillmore Street has metered on-street parking on both sides of the street. Fillmore Street is also designated as a Citywide Pedestrian Network Street and a Neighborhood Commercial Street, between Chestnut and Eddy streets. Fillmore Street south of Chestnut Street is a Secondary Transit Street.

Greenwich Street, two blocks north of the project site, is part of the citywide bicycle network (Route 5) east-west, between Octavia Street and Lyon Street at the edge of the Presidio. Bicycle Route 45 runs north and south along Steiner Street from Greenwich Street to Fulton Street, in the Western Addition area. Bicycle Route 210 runs along Broadway between The Embarcadero and Webster Street.

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[21] Major arterials are defined as cross-town thoroughfares whose primary function is to link districts within the city and to distribute traffic from and to the freeways; these are routes generally of citywide significance; of varying capacity depending on the travel demand for the specific direction and adjacent land uses.

[22] San Francisco General Plan, Transportation Element Map 9, Map 11, and Map 12.

Within the immediate project vicinity, the 41-Union and the 45 Stockton-Union bus lines run east–west along Union Street from Columbus Avenue in the North Beach neighborhood to Lyon Street. The 22-Fillmore bus line runs on Fillmore Street, one-and-a-half blocks west of the project site, in a north-south route from Marina Boulevard to Market Street, and in an east-west direction from Sixteenth Street, to Twentieth Street and Third Street in lower Potrero Hill. The 47-Van Ness and 49-Van Ness-Mission run north-south along Van Ness Avenue from North Point to Mission Street. In addition, there are Golden Gate transit bus lines on Lombard Street.

Impact TR-1: The proposed project would not conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, nor would the proposed project conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures. (Less than Significant)

Policy 10.4 of the Transportation Element of the San Francisco General Plan states that the City and County will "Consider the transportation system performance measurements in all decisions for projects that affect the transportation system." To determine whether the proposed project would conflict with a transportation- or circulation-related plan, ordinance or policy, this section analyzes the proposed project's effects on intersection operations, transit demand, impacts on pedestrian and bicycle circulation, parking and freight loading, as well as construction impacts.

Trip Generation

As set forth in the Planning Department's *Transportation Impact Analysis Guidelines for Environmental Review*, October 2002 (*Transportation Guidelines*), the Planning Department evaluates traffic conditions for the weekday PM peak period to determine the significance of an adverse environmental impact. Weekday PM peak hour conditions (between the hours of 4 PM to 6 PM) typically represent the worst-case conditions for the local transportation network. Using the *Transportation Guidelines*, the proposed project is anticipated to generate approximately 2,075 daily person trips and a total of about 660 daily vehicle trips[23]. Table 1, page 47, shows the project's estimated daily and PM peak hour trip generation by mode split.

As shown below, total PM peak hour person trips is estimated to be approximately 263. Of these person trips, about 151 would be by auto, 48 trips by transit, 64 pedestrian and by "other" modes (including bicycles, motorcycles, and taxis). The trip generation calculations conducted for the proposed project estimate PM peak hour vehicle trips at 71. The trip generation estimates prepared for the proposed project is conservative because trips from the existing uses on the project site were not deducted.

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[23] *2055 Union Street Travel Demand Analysis*, LCW Consulting, May 14, 2010. This document is available for public review as part of Case No. 2010.0613E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

Although the proposed project is calculated to generate approximately 71 PM peak hour vehicle trips, these vehicle trips are not anticipated to affect existing levels of service within the project vicinity. Therefore, the proposed project's impact on existing vehicular traffic is considered *less than significant*. The proposed project would not result in a considerable contribution to cumulative traffic impacts in the project vicinity; and therefore, the project would have less-than-significant cumulative impacts.

Table 1
Daily and PM Peak Hour Trip Generation

Trip Generation Mode Split	Daily Trips	PM Peak Hour Trips
Auto	1,224	151
Transit	383	48
Walk/Other	468	64
Total	**2,075**	**263**
Vehicle Trips	660	71
Parking Demand	**Short Term**	**Long Term**
Parking Spaces	55	34
Loading Demand	**Average Hour**	**Peak Hour**
Loading Spaces	0.4	0.5

Source: LCW Consulting, *Transportation Impact Analysis Guidelines, Transportation Calculations*. This document is available for public review as part of Case No. 2010.0613E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

Parking

The additional vehicle trips generated by the proposed project would also generate a short-term parking demand of 55 spaces and a long term parking demand of 34 spaces, however, parking spaces would not be provided on the project site. Parking may be available at the nearby Union Street Plaza Garage at 2001 Union Street, approximately 100 feet east of the project site. The project sponsor is seeking to negotiate a discounted parking system for patrons of the private fitness facility, although arrangements have not yet been finalized. A recent examination of parking records for the Union Street Plaza Garage during a 10-weekday period during peak travel times (4 PM to 6 PM), including the PM peak hour period, indicate that this garage has a maximum utilization of 63 percent of capacity and approximately 74 parking spaces are available.[24]

San Francisco does not consider parking supply as part of the permanent physical environment. Parking conditions are not static, as parking supply and demand varies from day to day, from day to night, from month to month, etc. Hence, the availability of parking spaces (or lack thereof) is not a permanent physical condition, but changes over time as people change their modes and patterns of travel.

Parking deficits are considered to be social effects, rather than impacts on the physical environment as defined by CEQA. Under CEQA, a project's social impacts need not be treated as significant impacts on the environment. Environmental documents should, however, address the secondary physical impacts that could be triggered by a social impact. (CEQA Guidelines § 15131(a).) The social inconvenience of parking deficits, such as having to hunt for scarce parking spaces, is not an environmental impact, but there may be secondary physical environmental impacts, such as increased traffic congestion at intersections, air quality impacts, safety impacts, or noise impacts caused by congestion. In the experience of San Francisco transportation planners, however, the absence of a ready supply of parking spaces, combined with available alternatives to auto travel (e.g., transit service, taxis, bicycles or travel by foot) and a relatively dense pattern of urban development, induces many drivers to seek and find alternative parking facilities, shift to other modes of travel, or change their overall travel habits. Any such resulting shifts to transit service in particular, would be in keeping with the City's "Transit First" policy. The City's Transit First Policy, established in the City's Charter Section 16.102 provides that "parking policies for areas well served by public transit shall be designed to encourage travel by public transportation and alternative transportation."

As discussed above, the 41-Union and the 45 Stockton-Union bus lines run east–west along Union Street from Columbus Avenue to Lyon Street. The 22-Fillmore runs north-south from Marina to south of Market Street. Bicycle Route 5 runs on Greenwich Street, two blocks north of the project site, Bicycle Route 45 runs north and south along Steiner Street from Greenwich to Fulton streets, and Bicycle Route 210 runs along Broadway between The Embarcadero and Webster Street within the project vicinity.

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[24] LRB, *op. cit.*

The transportation analysis accounts for potential secondary effects, such as cars circling and looking for a parking space in areas of limited parking supply, by assuming that all drivers would attempt to find parking at or near the project site and then seek parking farther away if convenient parking is unavailable. Moreover, the secondary effects of drivers searching for parking is typically offset by a reduction in vehicle trips due to others who are aware of constrained parking conditions in a given area. Hence, any secondary environmental impacts which may result from a shortfall in parking in the vicinity of the proposed project would be minor, and the traffic assignments used in the transportation analysis, as well as in the associated air quality, noise, and pedestrian safety analyses, reasonably addresses potential secondary effects.

Loading

The proposed 33,000 square-foot health club, the 1,625 square-foot retail space and the 1,625 square-foot restaurant would generate a peak hour loading demand of 0.5 delivery trucks. The total average hour loading demand for the final building square footage (approximately 36,250 square feet) would be approximately 0.4 truck/hour and 0.5 truck during weekday PM peak hour. The proposed project would not provide loading bays, and all loading would occur from a commercial yellow zone in front of the project site. The proposed project would not result in significant loading impacts and loading impacts are considered ***less than significant***

Construction Impacts

During the projected 12-month construction period, temporary and intermittent traffic and transit impacts would result from construction truck movements to and from the project site. Truck movements during periods of peak traffic flow would have greater potential to create conflicts than during non-peak hours because of the greater number of vehicles on the streets that would have to maneuver around queued trucks. Construction activities associated with the proposed project are not anticipated to result in construction-related impacts on the City's transportation network, primarily due to the low volume of truck traffic required for construction. Construction loading/staging would be from the two parking spaces in front of the building. Any construction traffic occurring between 7:00 and 9:00 AM or between 3:30 and 6:00 PM would coincide with peak hour traffic and could temporarily impede traffic and transit flow, although it would not be considered a significant impact. An improvement measure limiting truck movements to the hours between 9:00 AM and 3:30 PM (or other times, if approved by SFMTA) would minimize disruption of the general traffic flow on adjacent streets during the AM and PM peak periods. The project sponsor and construction contractors would meet with the City's Transportation Advisory Staff Committee (TASC) to determine feasible measures to reduce traffic congestion, including effects on the transit system and pedestrian circulation during construction of the proposed project. TASC consists of representatives from the Traffic Engineering Division of the Department of Parking and Traffic (DPT), the Fire Department, MUNI, and the Planning Department. Thus, impacts related to an applicable transportation circulation system plan or policy would be *less than significant*.

Impact TR-2: The proposed project would not substantially increase hazards due to a design feature or incompatible uses. (No Impact)

The proposed project, as designed, would not include features that would substantially increase traffic-related hazards. In addition, as discussed in Section E.1, Land Use and Land Use Planning, under Question 1e, the project would not include uses that are incompatible with the site vicinity. Therefore, the proposed project would have *no transportation hazards impact* due to a design feature or resulting from incompatible uses.

Impact TR-3: The proposed project would not result in inadequate emergency access. (No Impact)

As discussed above, access to the site would be provided on Union Street. The proposed project does not include any alteration to existing rights-of-way, nor would it be expected to affect emergency response times or access to other sites. As discussed in further detail below under E.12, Public Services, Police and Fire Protection, page 87, the closest fire station is at 2251 Greenwich Street, approximately one-quarter mile from the project site. The closest police station is 1125 Fillmore Street, approximately 1.2 miles south of the site. The closest emergency hospital is St. Francis Hospital at California and Hyde streets, approximately 1.7 miles from the project site. Emergency vehicles would be able to reach the project site on Union Street, via Fillmore, Webster, and Buchanan streets. Therefore, the project would have *no impact* on emergency access to the project site or any surrounding sites.

Impact TR-4: The proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such features. (Less than Significant)

Transit Conditions

As discussed above, the project site is well served by transit. Within the immediate project vicinity, the 41-Union and the 45 Stockton-Union bus lines run east–west along Union Street from Columbus Avenue to Lyon Street. The 22-Fillmore runs north-south along Fillmore Street from Marina Boulevard to south of Market Street and lower Potrero Hill. The 47-Van Ness and 49-Van Ness-Mission run north-south along Ban Ness Avenue from North Point to Mission Street. In the future, Van Ness Avenue Bus Rapid Transit (BRT) would provide service to the site vicinity and the Cow Hollow neighborhood. As noted above in Table 1, page 47, the project is anticipated to generate 383 daily and 48 PM peak hour transit trips. These trips would be distributed throughout transit lines in the area, and are not expected to noticeably affect capacity of these lines. Thus, impacts to the City's transit network would be considered *less than significant*. Transit-related policies include, but are not limited to: (1) discouragement of commuter automobiles (*Planning Code* Section 101.1, established by Proposition M, the Accountable Planning Initiative); and (2) the City's "Transit First" policy, established in the City's Charter Section 16.102. As discussed above, the proposed project would not conflict with transit operations, and would not conflict with the transit-related policies established by Proposition M or the City's Transit First Policies.

Bicycle Conditions

Bicycle routes within the project vicinity include Route 5 on Greenwich Street, which is two blocks north of the project site, and runs east-west between Octavia and Lyon streets. In addition, Bicycle Route 45 runs north and south along Steiner Street from Greenwich to Fulton streets, and Bicycle Route 210 runs along Broadway between The Embarcadero and Webster Street. The proposed project would generate 64 PM peak hour trips by "other" modes, some of which would be bicycle trips. The proposed project is not anticipated to affect bicycle conditions in the project vicinity. Thus, the proposed project's effect on the bicycle network would be considered less than significant. On June 26, 2009, the San Francisco Municipal Transportation Agency (SFMTA) approved an update to the City's Bicycle Plan. The Plan includes updated goals and objectives to encourage bicycle use in the City, describes the existing bicycle route network (a series of interconnected streets and pathways on which bicycling is encouraged), and identifies improvements to achieve the established goals and objectives. The proposed project would result in *less-than-significant* impacts to bicycle conditions in the project area and would therefore not conflict with the City's bicycle plan, or other plan, policy or program related to bicycle use in San Francisco.

Pedestrian Conditions

Pedestrian sidewalks are provided on all streets within the project vicinity, including Union Street, and Webster and Buchanan streets. Sidewalks adjacent to the project site have excess capacity as observed during field visits in the project vicinity during different times of the day. The proposed project would generate approximately 468 daily and 64 PM peak hour pedestrian and other trips. The proposed project would not cause a substantial increase of pedestrian and vehicle conflicts since there are currently low pedestrian volumes. Sidewalk widths are sufficient to allow for the free flow of pedestrian traffic. Pedestrian activity would increase as a result of the project, but not to a level that could not be accommodated on project area sidewalks or would result in safety concerns. Thus, impacts on pedestrian circulation and safety would be *less than significant*. As such, the proposed project would not conflict with any plan, policy or program related to pedestrian use in San Francisco.

Impact C-TR-5: The proposed project in combination with past, present, and reasonably foreseeable future projects, would have less-than-significant cumulative transportation impacts. (Less than Significant)

The proposed project would not cause a substantial increase in traffic, in relation to the existing traffic load and capacity of the street system. As reflected in the trip generation explained above, during weekday PM peak periods, the project would result in less-than-significant impacts related to increases in vehicle traffic in the project vicinity. The proposed project would not include any hazardous design features or incompatible uses that could result in hazardous conditions, and the proposed project would not result in inadequate emergency access to the site or any surrounding sites. The proposed project would not cause a substantial increase in transit demand that could not be accommodated by existing and proposed transit capacity, and alternative travel modes. With the addition of 71 PM peak hour vehicle trips, the proposed project would have a less-than-significant cumulative traffic impact, because the number of vehicle trips generated by the proposed project would not be substantial compared to existing conditions. Therefore, the project would result in less-than-significant effects on cumulative transportation impacts.

There are no identified construction projects within the vicinity. Therefore cumulative construction impacts would not be substantial and the cumulative impact on the transportation network would be *less than significant.*

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
6. NOISE—Would the project:					
a) Result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	☐
b) Result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	☐
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☐
e) For a project located within an airport land use plan area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	☐	☐	☐	☐	☒
f) For a project located in the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☐	☒
g) Be substantially affected by existing noise levels?	☐	☐	☒	☐	☐

The project site is not located within an airport land use plan area, or within the vicinity of a private airstrip. Therefore, checklist items 6e and 6f are not applicable to the proposed project.

Impact NO-1: The proposed project would not result in the exposure of persons to or generation of noise levels in excess of established standards, nor would the proposed project result in a substantial permanent increase in ambient noise levels, nor would the proposed project be substantially affected by existing noise. (Less than Significant)

The proposed project would involve a seismic retrofit, adaptive re-use of the landmark Metro Theater, and construction of three additional floors within the existing structure, including an approximately 23,250-square-foot interior addition to the currently vacant building. The project site is located within the Union Street NCD. Background noise levels along Union Street are between 65 and 70 dBA (Ldn), based on 2009 sampling data.[25,26] Given existing street setbacks, noise levels at the project property line would be expected to be within this range or lower. The Environmental Protection element of the *General Plan* contains Land Use Compatibility Guidelines for Community Noise. These guidelines, which are similar to, but differ somewhat from, State guidelines issued by the Governor's Office of Planning and Research, indicate maximum acceptable noise levels for various newly developed land uses. According to the *General Plan's* Land Use Compatibility chart, commercial uses, including the proposed fitness, community theater, restaurant and retail uses, are considered compatible uses in areas with existing noise levels below 70 Ldn, with no special noise insulation requirements necessary[27]. Given that the project site is within the noise acceptability standards of the *General Plan*, the proposed project would not be substantially affected by existing neighborhood noise levels, and this noise compatibility impact would be *less than significant*.

In general, traffic must double in volume to produce a noticeable increase in ambient noise levels. Based on the trip generation analysis for the project (see Section 5, Transportation and Circulation), the proposed project would generate approximately 660 daily vehicle trips, with 71 of those trips occurring during the 4:00 to 6:00 PM peak commute period. Existing traffic volumes along Union Street are much higher. Therefore, the proposed project's generation of vehicle trips would not double existing vehicle trips or result in a noticeable increase in ambient noise levels.

In addition to vehicle-related noise, building equipment and ventilation are also noise sources. Specifically, mechanical equipment produces operational noise, such as heating and ventilation systems. Mechanical equipment would be subject to Section 2909 of the Noise Ordinance. As amended in November 2008, this section of the ordinance establishes a noise limit for mechanical sources, such as building equipment, specified as a certain noise level in excess of the ambient noise level at the property line: for noise generated by residential uses, the limit is 5 dBA in excess of ambient noise levels, while for

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[25] Sound pressure is measured in decibels (dB), with zero dB corresponding roughly to the threshold of human hearing, and 120 dB to 140 dB corresponding to the threshold of pain. Because sound pressure can vary by over one trillion times within the range of human hearing, a logarithmic loudness scale is used to keep sound intensity numbers at a convenient and manageable level. Owing to the variation in sensitivity of the human ear to various frequencies, sound is "weighted" to emphasize frequencies to which the ear is more sensitive, in a method known as A-weighting and expressed in units of A-weighted decibels (dBA).

[26] San Francisco Planning Department, *San Francisco General Plan*, Environmental Protection Element, Map 1: Background Noise Levels (2009), under Objective 11, available online at *http://www.sf-planning.org/ftp/General_Plan/I6_Environmental_Protection.htm*, accessed August 8, 2011.

[27] San Francisco Planning Department, *San Francisco General Plan*, Environmental Protection Element. Land Use Compatibility Chart for Community Noise, under Policy 11.1, available online at *http://www.sf-planning.org/ftp/General_Plan/I6_Environmental_Protection.htm*, accessed August 8, 2011.

noise generated by commercial and industrial uses, the limit is 8 dBA in excess of ambient level, and for noise on public property, including streets, the limit is 10 dBA in excess of ambient. In addition, the Noise Ordinance provides for a separate fixed-source noise limit for residential interiors of 45 dBA at night and 55 dBA during the day and evening hours. Compliance with Article 29, Section 2909, serves to minimize noise from building operations. The proposed internal addition of three new floors would require a rooftop mechanical unit (Heating, Ventilation, and Air Conditioning [HVAC]), which would be located behind the fitness facility marquee toward Union Street to minimize noise effects to residential neighbors to the south. There is no residence adjacent to the project site to the east or west. There are residential units to the south. The smaller retail and restaurant components of the proposed project would likely have smaller, split systems, with separate components for heating and air conditioning. These noise sources would be required to comply with Section 2909 of the Noise Ordinance.

Given that the proposed project's vehicle trips would not result in a doubling of existing traffic volume in noise, that the proposed project's HVAC units would be required to comply with the Noise Ordinance and would be situated to minimize noise effects, the proposed project would not result in a noticeable increase in ambient noise levels, and this off-site noise impact would be *less than significant.*

Given that the proposed project would comply with existing noise standards and would not expose persons to noise levels in excess of standards established in the San Francisco Noise Ordinance (E.6.a), the project's noise level effect would be *less than significant.*

Impact NO-2: During construction, the proposed project would result in a temporary and periodic increase in ambient noise levels and vibration in the project vicinity above levels existing without the project, but any construction-related increase in noise levels and vibration would be considered a less-than-significant impact. (Less than Significant)

Excavation, demolition, and construction would temporarily increase noise, and possibly generate vibration, in the project vicinity. However, the majority of excavation, demolition, and construction activities would occur inside the existing building, which could reasonably be expected to attenuate noise experienced at neighboring properties. During the construction phase, the amount of construction noise generated would be influenced by equipment type and duration of use, distance between noise source and listener, and presence or absence of barriers (including subsurface barriers). Construction equipment would generate noise and possibly vibrations that could be considered an annoyance by occupants of nearby properties. There would be times when noise and vibration could interfere with indoor activities in nearby businesses and residences. The closest sensitive noise receptors to the project site are the residents of an apartment building located on Webster Street; the rear units are located approximately 15 feet and slightly uphill from the rear of the project building. Other nearby receptors are located along Green Street, less than 60 feet away from the project site and uphill at elevations approximately 15 to 20 feet higher than the project site. Other uses in the immediate vicinity are not considered sensitive to noise and vibration. According to the project sponsor, the construction period would last approximately 12 months. Construction of the proposed project would not require pile driving. Considering this, the noisiest construction activities associated with the project would likely be exterior finishing, which can generate noise levels up to 89 dBA at 50 feet from the noise receptor (see Table 2, page 57). Although elevated noise levels would be experienced at the closest residential uses (noise-sensitive receptors), which are located as close as 15 feet from the project site, the majority of construction activities would occur inside the existing theater building. The 6- to 8-inch-thick concrete walls would substantially attenuate noise generated inside the existing buildings. Although the density of the walls is unknown, based on a range of attenuation values for different densities of 8-inch-thick concrete walls, attenuation could range from 27 dBA to 52 dBA.[28] Thus, noise levels at the nearest noise-sensitive receptors during interior construction could be within acceptable ranges. Construction noise and vibration impacts would be temporary, limited to the period of construction. Construction would occur on weekdays (though some Saturday construction work could occur) during daytime hours, when the majority of residents would likely be working away from home.

Construction noise is regulated by the San Francisco Noise Ordinance (Article 29 of the Police Code). The ordinance requires that noise levels from individual pieces of construction equipment, other than impact tools, not exceed 80 dBA at a distance of 100 feet from the source. Impact tools (jackhammers, hoerammers, impact wrenches) must have both intake and exhaust muffled to the satisfaction of the Director of Public Works or the Director of Building Inspection. Section 2908 of the Ordinance prohibits construction work between 8:00 PM and 7:00 AM, if noise would exceed the ambient noise level by 5 dBA at the project property line, unless a special permit is authorized by the Director of Public Works or the Director of Building Inspection. The project must comply with regulations set forth in the Noise Ordinance. The increase in noise and vibration in the project area during project construction would be considered *less than significant* because it would be temporary, intermittent, and restricted in occurrence and level, as the contractor would be required to comply with the City's Noise Ordinance.

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[28] Engineeringtoolbox.com, Sound Transmission Through Massive Walls or Floors—Concrete or Similar, accessed January 1, 2011 at: *http://www.engineeringtoolbox.com/sound-transmission-massive-walls-d_1409.html*

Table 2
Typical Commercial Construction Noise Levels (dBA)[29]

Phase	$(L_{eq})^a$
Ground Clearing	84
Excavation	89
Foundations	78
Construction	85
Exterior Finishing	89
Pile Driving	90-105

Notes:

[a] Estimates correspond to a distance of 50 feet from the noisiest piece of equipment associated with a given phase and 200 feet from the other equipment associated with that phase.

SOURCE: U.S. Environmental Protection Agency, Noise from Construction Equipment and Operations, Building Equipment, and Home Appliances, December 1971.

Impact C-NO-3: The proposed project, in combination with past, present, and reasonably foreseeable future projects, would result in less-than-significant cumulative noise impacts. (Less than Significant)

As previously discussed, there are no planned construction projects within one-quarter mile of the project site. Project construction-related noise would not substantially increase ambient noise levels at locations greater than a few hundred feet from the project site. There would be no potential for construction noise effects associated with the proposed project to combine with other concurrent construction projects. Therefore, there would be *no cumulative impact* related to construction-generated noise.

Localized traffic noise would increase in conjunction with foreseeable residential and commercial growth in the project vicinity. However, because the proposed project combined with foreseeable future projects would not result in a doubling of traffic volumes along project area streets, the project would not contribute considerably to any cumulative traffic-related increases in ambient noise. In addition, the proposed project's mechanical equipment would be required to comply with the Noise Ordinance and hence would not be expected to contribute to any cumulative increases in ambient noise as a result of building equipment. Therefore, the proposed project would not result in cumulatively considerable noise impacts, and cumulative noise impacts are considered *less than significant*.

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[29] U.S. Environmental Protection Agency, *Noise from Construction Equipment and Building Operations, Building Equipment, and Home Appliances*, December 1971.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
7. AIR QUALITY—Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	☐
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal, state, or regional ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	☐
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	☐

The Federal Clean Air Act (CAA), as amended, and the California Clean Air Act (CCAA) legislate ambient air quality standards and related air quality reporting systems for regional regulatory agencies to then develop mobile and stationary source control measures to meet these standards. BAAQMD is the primary responsible regulatory agency in the Bay Area for planning, implementing, and enforcing the federal and state ambient standards for criteria pollutants.[30] Criteria air pollutants include ozone, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter (PM_{10} and $PM_{2.5}$), and lead.

The San Francisco Bay Area Air Basin encompasses the following counties: San Francisco, Alameda, Contra Costa, Marin, San Mateo, Napa and parts of Solano and Sonoma counties. The basin has a history of air quality violations for ozone, carbon monoxide, and particulate matter and currently does not meet the state ambient air quality standards for ozone, PM_{10} and $PM_{2.5}$. BAAQMD has adopted air quality management plans over the years to address control methods and strategies for meeting air quality standards, the latest plan being the *2010 Clean Air Plan*.

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[30] State and Federal air quality standards for the Bay Area's attainment status can be viewed on the BAAQMD website at: *http://www.baaqmd.gov*.

The *2010 Clean Air Plan* is intended to: (1) update the *2005 Ozone Strategy* in accordance with the requirements of the CCAA to implement "all feasible measures" to reduce ozone; (2) provide a control strategy to reduce ozone, particulate matter (PM), air toxics, and greenhouse gases in a single, integrated plan; (3) review progress in improving air quality in recent years; and (4) establish emission control measures to be adopted or implemented in the 2010-2012 timeframe. The *2010 Air Quality Plan* was adopted by BAAQMD on September 15, 2010.

The purpose of the *Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines* is to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the San Francisco Bay Area Air Basin (SFBAAB). The Guidelines provide procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. BAAQMD recently adopted new CEQA air quality thresholds of significance and issued revised Guidelines that supersede the *1999 CEQA Air Quality Guidelines*.[31] According to BAAQMD, the recently adopted thresholds of significance for criteria air pollutants, GHG emissions (addressed in Section E.8. Greenhouse Gas Emissions), and health risks from new sources of air emissions are intended to apply to environmental analyses that have begun on or after adoption of the revised CEQA thresholds. Thresholds of significance pertaining to the health risk impacts of sources upon sensitive receptors are intended to apply to environmental analyses begun on or after January 1, 2011. The following analysis is based on the revised CEQA thresholds (adopted June 2, 2010).

Impact AQ-1: Construction of the proposed project would not emit criteria air pollutants that would violate an air quality standard or contribute to an existing or projected air quality violation. (Less than Significant)

BAAQMD's *2010 CEQA Air Quality Guidelines* (or *Guidelines*) notes that the first step in determining the significance of criteria air pollutants and precursors related to project operation and from exhaust during project construction is to compare the attributes of the proposed project with the applicable screening criteria. The purpose of this comparison is to provide a conservative indication of whether construction or operation of the proposed project would result in the generation of criteria air pollutants and/or precursors that exceed the *Guidelines'* thresholds of significance. If all of the screening criteria are met by a proposed project, then the lead agency or applicant does not need to perform a detailed air quality assessment of the project's air pollutant emissions, and construction or operation of the proposed project would result in a less-than-significant air quality impact. If the proposed project does not meet all the screening criteria, then project emissions need to be quantified and analyzed against BAAQMD's thresholds of significance.[32]

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[31] Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines*. June 2010. This document is available online at: *www.baaqmd.gov*. Accessed July 22, 2010.

The *2010 CEQA Air Quality Guidelines* provide thresholds of significance for construction-related criteria air pollutant and precursor emissions from vehicle exhaust. The thresholds, as determined by BAAQMD, are whether the proposed project would emit the following construction-related criteria air pollutants: reactive organic gases (ROG), nitrogen oxides (NO_x) or $PM_{2.5}$[33] at levels in excess of 54 lbs/day, or whether the proposed project would emit PM_{10} at levels in excess of 82 lbs/day. The *2010 CEQA Air Quality Guidelines* provide screening criteria that identify the size and type of project that is not anticipated to emit criteria air pollutants and ozone precursors in excess of the adopted thresholds of significance. For health clubs, restaurants, and a variety of different types of commercial uses, the screening size for construction emissions is 277,000 square feet. The proposed project would fall well below the screening criteria, Therefore, a quantitative analysis of the proposed project's construction-related emissions with respect to criteria air pollutants and ozone precursors is not required, and the project's construction-related exhaust emissions would have a less-than-significant impact on criteria air pollutants from construction exhaust.

Impact AQ-2: Construction of the proposed project would not result in significant fugitive dust emissions. (Less than Significant)

Project-related demolition, excavation, grading, and other construction activities may cause wind-blown dust that could contribute particulate matter into the local atmosphere. Although there are federal standards for air pollutants and implementation of state and regional air quality control plans, air pollutants continue to have impacts on human health throughout the country. California has found that particulate matter exposure can cause health effects at lower levels than national standards. The health burden of particulate matter demands that, where possible, public agencies take feasible available actions to reduce sources of particulate matter exposure. According to the California Air Resources Board (CARB), reducing ambient particulate matter from 1998–2000 levels to natural background concentrations in San Francisco would prevent over 200 premature deaths.

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[32] Ibid. pg. 3-1.

[33] $PM_{2.5}$ and PM_{10} refer to particulate matter that is 2.5 microns in diameter or less and particulate matter that is 10 microns in diameter or less, respectively.

Dust can be an irritant causing watering eyes or irritation to the lungs, nose, and throat. Demolition, excavation, grading, and other construction activities can cause wind-blown dust to add to particulate matter in the local atmosphere. Depending on exposure, adverse health effects can occur due to this particulate matter in general and also due to specific contaminants such as lead or asbestos that may be constituents of soil.

For fugitive dust emissions, *2010 CEQA Air Quality Guidelines* recommend following the current best management practices approach, which has been a pragmatic and effective approach to the control of fugitive dust emissions. The *Guidelines* note that individual measures have been shown to reduce fugitive dust by anywhere from 30 percent to more than 90 percent and conclude that projects that implement construction best management practices will reduce fugitive dust emissions to a less-than-significant level.[34]

The San Francisco Board of Supervisors approved a series of amendments to the San Francisco Building and Health Codes, generally referred hereto as the Construction Dust Control Ordinance (Ordinance 176-08, effective July 30, 2008), with the intent of reducing the quantity of dust generated during site preparation, demolition, and construction work in order to protect the health of the general public and of on-site workers, to minimize public nuisance complaints, and to avoid orders to stop work by Department of Building Inspection (DBI).

The Dust Control Ordinance requires that all site preparation work, demolition, or other construction activities within San Francisco that have the potential to create dust or to expose or disturb more than 10 cubic yards or 500 square feet of soil comply with specified dust control measures whether or not the activity requires a permit from DBI. The Director of DBI may waive this requirement for activities on sites less than one-half acre that are unlikely to result in any visible wind-blown dust.

The following regulations and procedures set forth in Article 22B of the San Francisco Health Code (Construction Dust Control Requirements) generally contain BAAQMD-recommended best management practices:

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[34] Ibid. pgs.8-2 to 8-3.

- Water all active construction areas at least twice daily;
- Cover all trucks hauling soil, sand, and other loose materials, or require such trucks to maintain at least 2 feet of side barriers above the top of the haul load;
- Pave, apply water at a minimum three times daily in dry weather, or apply non-toxic soil stabilizers to all unpaved access roads, parking areas, and staging areas;
- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas;
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public rights-of-way areas;
- Hydroseed or apply non-toxic soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more);
- Enclose, cover, water twice daily, or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.);
- Limit traffic speeds on unpaved roads to 15 miles per hour;
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways;
- Replant vegetation in disturbed areas as quickly as possible;
- Install wheel washers for all exiting trucks, or wash off the tires of all trucks and equipment prior to leaving the site;
- Install wind breaks, or plant trees/vegetative wind breaks at windward side(s) of construction areas;
- Suspend excavation and grading activity when winds (instantaneous gusts) exceed 25 mph; and
- Limit the area subject to excavation, grading, and other construction activity at any one time.

Because the project site is less than one-half acre in size and project demolition and construction activities are unlikely to result in any visible wind-blown dust because they would occur primarily within the existing building, the Director of DBI may waive the above-listed requirements. Absent this waiver, the applicant would be required to comply with the Dust Control Ordinance, which would reduce the project's air quality impacts related to fugitive dust to a ***less-than-significant*** level.

Impact AQ-3: Construction of the proposed project would not expose sensitive receptors to substantial levels of $PM_{2.5}$ and other Toxic Air Contaminates. (Less than Significant)

Construction of the proposed project would require construction equipment and would result in an increase in vehicle trips associated with construction workers and other off-road construction equipment. Diesel powered construction equipment emit diesel particulate matter, which may affect nearby sensitive receptors. Sensitive receptors are identified as people (children, adults, and seniors) occupying or residing in: residential dwellings; schools, colleges and universities; daycares; hospitals, and senior care facilities[35]. As discussed in Section E.6, Noise, the closest sensitive receptors to the project site are the residents of buildings south of the project site on Green Street, which are directly adjacent to the project site, and the residents of an apartment building located on Webster Street; the rear units are located approximately 15 feet and slightly uphill from the rear of the project building. However, the proposed project does not entail any new building construction or demolition activities outside the existing building.

The proposed project would include seismic retrofit of the 670-seat Metro Theater building and conversion of its use to a private fitness facility, restaurant and retail use. The proposed seismic retrofit would entail the construction of a new internal steel structural frame and three new floors within the existing building. The interior construction of the three floors would add approximately 23,500 square feet to the existing 13,000 square foot floor area for a total floor area of approximately 23,250 sq. ft. in the proposed four-story-building. Construction activities would include removal of existing interior walls and theater seating. Existing wall murals would be preserved in place; decorative columns would be restored in place; existing side doors, windows, frames, hardware would be removed and replaced. Construction equipment and phasing was obtained from the project sponsor. The total duration of construction activities are estimated to be 12 months. Given the limited duration of construction activities and relatively small horsepower of construction equipment, construction activities would not generate a substantial amount of toxic air contaminates (TACs) that could affect nearby sensitive receptors and would not exceed the BAAQMD's construction health risk thresholds. Therefore, project-level construction health risks would be *less than significant*.

Impact AQ-4: Operation of the proposed project would not emit criteria air pollutants that would violate an air quality standard or contribute to an existing or projected air quality violation. (Less than Significant)

The BAAQMD *2010 CEQA Air Quality Guidelines* also provide screening criteria for operational emissions from a variety of land use types. As with the construction screening criteria, if a proposed project's size falls below the applicable criteria, then operation of the proposed project would not result in a significant air quality impact, and a detailed air quality assessment of air pollutant emissions is not required. For health clubs, the *2010 CEQA Air Quality Guidelines* operational criteria air pollutant and precursor screening level is 128,000 square feet. For a "quality restaurant," the screening size is 47,000 square feet.

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[35] Bay Area Air Quality Management District. *Recommended Methods for Screening and Modeling Local Risks and Hazards*. May 2011. At page. 12. This document is available at *www.baaqmd.gov*. Accessed September 22, 2011.

Although the operational screening criteria do not list a generic retail use, a variety of different types of commercial uses are listed, including a "strip mall" with a screening size of 99,000 square feet. The proposed fitness, retail and restaurant uses would be well below the most stringent of these screening levels. The community theater would occupy minor square footage, and would only be an intermittent use and would not contribute substantially to criteria air pollutants. The total finished floor area would be well below the *2010 CEQA Air Quality Guidelines* operational screening criteria. Therefore, a detailed air quality assessment of the proposed project's potential air pollutant emissions is not required. As such, the proposed project would not result in the generation of operational-related criteria air pollutants and/or precursors that exceed BAAQMD's thresholds of significance. The potential for operation of the proposed project to emit criteria air pollutants and ozone precursors would therefore be considered ***less than significant***.

Impact AQ-5: Operation of the proposed project would not expose sensitive receptors to substantial levels of $PM_{2.5}$ and other Toxic Air Contaminates. (Less than Significant)

The proposed project includes a fitness center, restaurant and retail components. These land uses are not considered sensitive land uses and therefore, the proposed project would not expose new sensitive land uses to substantial levels of $PM_{2.5}$ or other TACs.

BAAQMD considers projects that generate less than 10,000 vehicle trips as minor, low impact sources and recommends that a health risk analysis exclude these sources.[36] The project's anticipated increase of approximately 333 vehicle trips would not exceed this screening level and would therefore not be considered a substantial source for health risks. Furthermore, the proposed project does not include stationary sources of emissions (diesel generators and boilers, etc.) that would affect nearby sensitive receptors. Therefore, the proposed project would not result in emissions of $PM_{2.5}$ or other TACs that could affect nearby sensitive receptors.

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[36] Bay Area Air Quality Management District. *Recommended Methods for Screening and Modeling Local Risks and Hazards*. May 2010. At pg. 13. This document is available online at: *www.baaqmd.gov*.

Impact AQ-6: The proposed project would not create objectionable odors that affect a substantial number of people emissions. (Less than Significant)

The project would not result in a perceptible increase or change in odors on the project site or in the vicinity of the project since it would not include uses prone to generation of odors, with the exception of the proposed restaurant use, which would include adequate ventilation, and would emit food odors which are generally not found offensive. The proposed project would introduce new uses on the project site (a private fitness facility, retail space, and restaurant) that are similar to many other properties located in the immediate vicinity and elsewhere along Union Street; these existing land uses are not sources of noticeable odors, nor would the proposed project be expected to emit objectionable odors. Therefore this impact would be *less than significant.*

Impact AQ-7: The proposed project would not conflict with or obstruct implementation of the *2010 Clean Air Plan.* (Less than Significant)

In determining consistency with the *2010 Clean Air Plan,* the BAAQMD recommends that the lead agency analyze three questions. If all three questions can be answered in the affirmative, the BAAQMD considers the project to be consistent with air quality plans prepared for the Bay Area. The first question is whether the project supports the primary goals of the *2010 Clean Air Plan* (the applicable air quality plan for the Bay Area). The primary goals of the *2010 Clean Air Plan* are to attain air quality standards, reduce population exposure to TACs, and reduce greenhouse gas emissions (addressed in Section E.8. Greenhouse Gas Emissions). As shown above the proposed project would be well below the criteria air pollutant screening levels and would not expose sensitive receptors to substantial levels of $PM_{2.5}$ and other TACs.

The second question is whether the project includes applicable control measures from the *2010 Clean Air Plan.* The *2010 Clean Air Plan* recognizes that to a great extent, community design dictates individual travel mode and that a key long-term control strategy to reduce emissions of criteria pollutants, air toxics and greenhouse gases from motor vehicles is to channel future Bay Area growth into vibrant urban communities where goods and services are close at hand, and people have a range of viable transportation options. To this end, the *2010 Clean Air Plan* identifies a number of land use control measures that support mixed-use, compact development to reduce motor vehicle travel and emissions.[37] The proposed project, the adaptive reuse of an existing building that provides amenities to local residents, would be consistent with the type of development promoted by the *2010 Clean Air Plan's* Local Land Use Strategies.

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[37] Bay Area Air Quality Management District. *Bay Area 2010 Clean Air Plan.* September 15, 2010. At page 4-9.

The final question is whether the project would hinder implementation of the *2010 Clean Air Plan* (e.g., precluding the extension of a transit line or bike path). The proposed project, re-use of an existing building, would clearly not hinder implementation of the *2010 Clean Air Plan*.

The proposed project would be generally consistent with the General Plan and air quality management plans such as the *2010 Clean Air Plan*. Additionally, the *General Plan, Planning Code*, and the City Charter implement various transportation control measures identified in the City's Transit First Program, bicycle parking regulations, transit development fees, and other strategies. Given that all three questions have been answered in the affirmative, the proposed project would not conflict with or obstruct implementation of regional air quality plans, and thus impacts of the proposed project related to conflicting with or obstructing implementation of an applicable air quality plan would be considered *less than significant*.

Impact C-AQ-4: The proposed project would result in less-than-significant cumulative air quality impacts. (Less than Significant)

With respect to cumulative impacts from criteria air pollutants, BAAQMD's approach to cumulative air quality analysis is that any proposed project that would individually have a significant air quality impact would also be considered to have a significant cumulative air quality impact.[38] The proposed project would result in less-than-significant impacts related to construction and operational criteria air pollutant emissions, Therefore, cumulative criteria air pollutant impacts associated with the proposed project would also be considered *less than significant*.

The proposed project does not include new sensitive receptors, nor would the project introduce a new stationary source of health risks, therefore the project's operations would not contribute to cumulative health risks. As discussed in Impact AQ-3, project construction could emit TACs, however, TAC emissions would be well below the BAAQMD's health risk thresholds. A cumulative analysis of sources of TACs within the project's health risk zone of influence (1,000 feet), was evaluated to determine whether the sum of all stationary, roadway and project construction emissions could exceed BAAQMD's cumulative heath risk thresholds of a cancer risk of 100 in a million, a non-cancer Hazard Index of 10.0

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[38] Bay Area Air Quality Management District. *California Environmental Quality Act Air Quality Guidelines*. June 2010. At page 2-1.

and an annual average PM2.5 threshold of 0.8 ug/m3. There are three permitted sources within 1,000 feet of the project site and only Lombard Street qualifies as a roadway with the potential to contribute to health risks as vehicle traffic on Lombard Street exceeds 10,000 vehicles/day. Combined, the cancer risk, annual average $PM_{2.5}$, and hazard index impact of all stationary and mobile sources within the project vicinity are 3.66, 0.05, and 0, respectively. These values combined with the emissions from project construction would be well below the BAAQMD's cumulative health risk thresholds. Therefore, cumulative health risk impacts of the project would be *less than significant*.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
8. GREENHOUSE GAS EMISSIONS— Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	☐
b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	☐

Environmental Setting

Gases that trap heat in the atmosphere are referred to as GHGs because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHGs has been implicated as the driving force for global climate change. The primary GHGs are carbon dioxide, methane, nitrous oxide, ozone, and water vapor.

While the presence of the primary GHGs in the atmosphere are naturally occurring, carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O) are largely emitted from human activities, accelerating the rate at which these compounds occur within earth's atmosphere. Emissions of carbon dioxide are largely by-products of fossil fuel combustion, whereas methane results from off-gassing associated with agricultural practices and landfills. Other GHGs include hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, and are generated in certain industrial processes. Greenhouse gases are typically reported in "carbon dioxide-equivalent" measures (CO_2E).[39]

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.[40]

The California Air Resources Board (CARB) estimated that in 2006 California produced about 484 million gross metric tons of CO_2E ($MMTCO_2E$), or about 535 million U.S. tons.[41] The CARB found that transportation is the source of 38 percent of the State's GHG emissions, followed by electricity generation (both in-state and out-of-state) at 22 percent and industrial sources at 20 percent. Commercial and residential fuel use (primarily for heating) accounted for 9 percent of GHG emissions. In the Bay Area, fossil fuel consumption in the transportation sector (on-road motor vehicles, off-highway mobile sources, and aircraft) and the industrial and commercial sectors are the two largest sources of GHG emissions, each accounting for approximately 36 percent of the Bay Area's 95.8 $MMTCO_2E$ of GHG emissions emitted in 2007. Electricity generation accounts for approximately 16 percent of the Bay Area's GHG emissions, followed by residential fuel usage at 7 percent, off-road equipment at 3 percent, and agriculture at 12 percent.

Regulatory Setting

In 2006, the California legislature passed Assembly Bill No. 32 (*California Health and Safety Code* Division 25.5, Sections 38500, et seq., or AB 32), also known as the Global Warming Solutions Act. AB 32 requires the CARB to design and implement emission limits, regulations, and other measures, such that feasible and cost-effective statewide GHG emissions are reduced to 1990 levels by 2020 (representing a 25 percent reduction in emissions).

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[39] Because of the differential heat absorption potential of various GHGs, GHG emissions are frequently measured in "carbon dioxide-equivalents," which present a weighted average based on each gas's heat absorption (or "global warming") potential.

[40] California Climate Change Portal. Frequently Asked Questions About Global Climate Change. Available online at: *http://www.climatechange.ca.gov/publications/faqs.html*, accessed November 8, 2010.

[41] The abbreviation for "million metric tons" is MMT; thus, "million metric tons of CO_2 equivalents" is written as $MMTCO_2E$.

Pursuant to AB 32, CARB adopted a Scoping Plan in December 2008, outlining measures to meet the 2020 GHG reduction limits. In order to meet these goals, California must reduce its GHG emissions by 30 percent below projected 2020 business as usual emissions levels, or about 15 percent from today's levels.[42] The Scoping Plan estimates a reduction of 174 $MMTCO_2E$ (about 191 million U.S. tons) from the transportation, energy, agriculture, forestry, and high global warming potential sectors, see Table 3, page 70. CARB has identified an implementation timeline for the GHG reduction strategies in the Scoping Plan.[43] Some measures may require new legislation to implement, some will require subsidies, some have already been developed, and some will require additional effort to evaluate and quantify. Additionally, some emissions reductions strategies may require their own environmental review under CEQA or the National Environmental Policy Act (NEPA).

AB 32 also anticipates that local government actions will result in reduced GHG emissions. CARB has identified a GHG reduction target of 15 percent from current levels for local governments themselves, and notes that successful implementation of the plan relies on local governments' land use planning and urban growth decisions because local governments have primary authority to plan, zone, approve, and permit land development to accommodate population growth and the changing needs of their jurisdictions.

The Scoping Plan relies on the requirements of Senate Bill 375 (SB 375) to implement the carbon emission reductions anticipated from land use decisions. SB 375 was enacted to align local land use and transportation planning to further achieve the State's GHG reduction goals. SB 375 requires regional transportation plans, developed by Metropolitan Planning Organizations (MPOs), to incorporate a "sustainable communities strategy" in their regional transportation plans (RTPs) that would achieve GHG emission reduction targets set by CARB. SB 375 also includes provisions for streamlined CEQA review for some infill projects such as transit-oriented development. SB 375 would be implemented over the next several years and the Metropolitan Transportation Commission's 2013 RTP would be its first plan subject to SB 375.

Senate Bill 97 (SB 97) required the Office of Planning and Research (OPR) to amend the state CEQA Guidelines to address the feasible mitigation of GHG emissions or the effects of GHGs. In response, OPR amended the CEQA Guidelines to provide guidance for analyzing GHG emissions. Among other changes to the CEQA Guidelines, the amendments add a new section to the CEQA Checklist (CEQA Guidelines Appendix G) to address questions regarding the project's potential to emit GHGs.

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[42] California Air Resources Board, California's Climate Plan: Fact Sheet. Available online at: *http://www.arb.ca.gov/cc/facts/scoping_plan_fs.pdf*, accessed March 4, 2010.

[43] California Air Resources Board. AB 32 Scoping Plan. Available Online at: *http://www.arb.ca.gov/cc/scopingplan/sp_measures_implementation_timeline.pdf*, accessed March 2, 2010.

Table 3
GHG Reductions from the AB 32 Scoping Plan Sectors[44]

GHG Reduction Measures By Sector	GHG Reductions (MMTCO$_2$E)
Transportation Sector	62.3
Electricity and Natural Gas	49.7
Industry	1.4
Landfill Methane Control Measure (Discrete Early Action)	1
Forestry	5
High Global Warming Potential GHGs	20.2
Additional Reductions Needed to Achieve the GHG Cap	34.4
Total	174
Other Recommended Measures	
Government Operations	1-2
Agriculture- Methane Capture at Large Dairies	1
Methane Capture at Large Dairies	1
Additional GHG Reduction Measures	
Water	4.8
Green Buildings	26
High Recycling/ Zero Waste • Commercial Recycling • Composting • Anaerobic Digestion • Extended Producer Responsibility • Environmentally Preferable Purchasing	9
Total	42.8-43.8

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[44] Ibid.

BAAQMD is the primary agency responsible for air quality regulation in the nine-county San Francisco Bay Area Air Basin (SFBAAB). As part of their role in air quality regulation, BAAQMD has prepared the CEQA air quality guidelines to assist lead agencies in evaluating air quality impacts of projects and plans proposed in the SFBAAB. The guidelines provide procedures for evaluating potential air quality impacts during the environmental review process consistent with CEQA requirements. On June 2, 2010, BAAQMD adopted new and revised CEQA air quality thresholds of significance and issued revised guidelines that supersede the 1999 air quality guidelines. The *2010 CEQA Air Quality Guidelines (2010 Guidelines)* provide for the first time CEQA thresholds of significance for GHG emissions. OPR's amendments to the CEQA Guidelines as well as BAAQMD's *2010 Guidelines* and thresholds of significance have been incorporated into this analysis accordingly.

Impact GG-1: The proposed project would generate greenhouse gas emissions, but not in levels that would result in a significant impact on the environment or conflict with any policy, plan, or regulation adopted for the purpose of reducing greenhouse gas emissions. (Less than Significant)

The most common GHGs resulting from human activity are CO_2, CH_4, and N_2O.[45] State law defines GHGs to also include hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. These latter GHG compounds are usually emitted in industrial processes, and therefore not applicable to the proposed project. Individual projects contribute to the cumulative effects of climate change by directly or indirectly emitting GHGs during construction and operational phases. Direct operational emissions include GHG emissions from new vehicle trips and area sources (natural gas combustion). Indirect emissions include emissions from electricity providers, energy required to pump, treat, and convey water, and emissions associated with landfill operations.

The proposed project would increase the activity on-site by developing a private fitness facility and retail and restaurant spaces, which would result in additional vehicle trips and an increase in energy use. The expansion could also result in an increase in overall water usage which generates indirect emissions from the energy required to pump, treat, and convey water. The expansion could also result in an increase in discarded landfill materials. Therefore, the proposed project would contribute to annual long-term increases in GHGs as a result of increased vehicle trips (mobile sources) and operations associated with energy use, water use and wastewater treatment, and solid waste disposal.

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[45] Governor's Office of Planning and Research. *Technical Advisory- CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act (CEQA) Review*. June 19, 2008. Available at the Office of Planning and Research's website at: *http://www.opr.ca.gov/ceqa/pdfs/june08-ceqa.pdf*, accessed March 3, 2010.

As discussed above, BAAQMD has adopted CEQA thresholds of significance for projects that emit GHGs, one of which is a determination of whether the proposed project is consistent with a Qualified Greenhouse Gas Reduction Strategy, as defined in the *2010 Guidelines*. On August 12, 2010, the San Francisco Planning Department submitted a draft of the City and County of San Francisco's *Strategies to Address Greenhouse Gas Emissions* to BAAQMD.[46] This document presents a comprehensive assessment of policies, programs, and ordinances that collectively represent San Francisco's Qualified Greenhouse Gas Reduction Strategy in compliance with BAAQMD's *2010 Guidelines* and thresholds of significance.

San Francisco's GHG reduction strategy identifies a number of mandatory requirements and incentives that have measurably reduced GHG emissions including, but not limited to, increasing the energy efficiency of new and existing buildings, installation of solar panels on building roofs, implementation of a green building strategy, adoption of a zero waste strategy, a construction and demolition debris recovery ordinance, a solar energy generation subsidy, incorporation of alternative fuel vehicles in the City's transportation fleet (including buses and taxis), and a mandatory composting ordinance. The strategy also identifies 42 specific regulations for new development that would reduce a project's GHG emissions.

San Francisco's climate change goals are identified in the 2008 Greenhouse Gas Reduction Ordinance as follows:

- By 2008, determine the City's 1990 GHG emissions, the baseline level with reference to which target reductions are set;
- Reduce GHG emissions by 25 percent below 1990 levels by 2017;
- Reduce GHG emissions by 40 percent below 1990 levels by 2025; and
- Reduce GHG emissions by 80 percent below 1990 levels by 2050.

The City's 2017 and 2025 GHG reduction goals are more aggressive than the State's GHG reduction goals as outlined in AB 32, and consistent with the State's long-term (2050) GHG reduction goals. San Francisco's *Strategies to Address Greenhouse Gas Emissions* identifies the City's actions to pursue cleaner energy, energy conservation, alternative transportation, and solid waste policies, and concludes that San Francisco's policies have resulted in a reduction in GHG emissions below 1990 levels, meeting statewide AB 32 GHG reduction goals. As reported, San Francisco's 1990 GHG emissions were approximately 8.26

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[46] San Francisco Planning Department. *Strategies to Address Greenhouse Gas Emissions in San Francisco*. 2010. The final document is available online at: *http://sfmea.sfplanning.org.GHG_Reduction_Strategy.pdf*, accessed May 4, 2011.

million metric tons (MMT) CO_2E and 2005 GHG emissions are estimated at 7.82 $MMTCO_2E$, representing an approximately 5.3 percent reduction in GHG emissions below 1990 levels.

BAAQMD reviewed San Francisco's *Strategies to Address Greenhouse Gas Emissions* and concluded that the strategy meets the criteria for a Qualified GHG Reduction Strategy as outlined in the *2010 Guidelines* and stated that San Francisco's "aggressive GHG reduction targets and comprehensive strategies help the Bay Area move toward reaching the State's AB 32 goals, and also serve as a model from which other communities can learn."[47]

Based on BAAQMD's *2010 Guidelines*, projects that are consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions* would result in a less-than-significant impact with respect to GHG emissions. Furthermore, because San Francisco's strategy is consistent with AB 32 goals, projects that are consistent with San Francisco's strategy would also not conflict with the State's plan for reducing GHG emissions. As discussed in San Francisco's *Strategies to Address Greenhouse Gas Emissions*, new development and renovations/alterations for private projects and municipal projects are required to comply with San Francisco's ordinances that reduce GHG emissions. Applicable requirements are shown below in Table 4.

Depending on a proposed project's size, use, and location, a variety of controls are in place to ensure that a proposed project would not impair the State's ability to meet statewide GHG reduction targets outlined in AB 32, nor impact the City's ability to meet San Francisco's local GHG reduction targets. Given that: (1) San Francisco has implemented regulations to reduce GHG emissions specific to new construction and renovations of private developments and municipal projects; (2) San Francisco's sustainable policies have resulted in the measured success of reduced GHG emissions levels; (3) San Francisco has met and exceeded AB 32 GHG reduction goals for the year 2020; (4) current and probable future state and local GHG reduction measures will continue to reduce a project's contribution to climate change; and (5) San Francisco's *Strategies to Address Greenhouse Gas Emissions* meet BAAQMD's requirements for a Qualified GHG Reduction Strategy, projects that are consistent with San Francisco's regulations would not contribute significantly to global climate change. The proposed project would comply with these requirements as indicated above, and has been determined to be consistent with San Francisco's *Strategies to Address Greenhouse Gas Emissions*.[48] As such, the proposed project would result in a *less-than-significant* impact with respect to GHG emissions.

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[47] Letter from Jean Roggenkamp, BAAQMD, to Bill Wycko, San Francisco Planning Department. October 28, 2010. This letter is available online at: *http://www.sfplanning.org/index.aspx?page=1570*, accessed November 12, 2010.

[48] Greenhouse Gas Analysis: Compliance Checklist. March 30, 2011. This document is on file and available for public review at the Planning Department, 1650 Mission Street, Suite 400, as part of Case No. 2009.1153E.

Table 4 GHG Regulations Applicable to the Proposed Project			
Regulation	Requirements	Project Compliance	Discussion
Transportation Sector			
Commuter Benefits Ordinance (*Environment Code*, Section 427)	All employers of 20 or more employees must provide at least one of the following benefit programs: 1. A Pre-Tax Election consistent with 26 U.S.C. Section 132(f), allowing employees to elect to exclude from taxable wages and compensation, employee commuting costs incurred for transit passes or vanpool charges, or (2) Employer Paid Benefit whereby the employer supplies a transit pass for the public transit system requested by each Covered Employee or reimbursement for equivalent vanpool charges at least equal in value to the purchase price of the appropriate benefit, or (3) Employer Provided Transit furnished by the employer at no cost to the employee in a vanpool or bus, or similar multi-passenger vehicle operated by or for the employer.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project sponsor would be required to comply with the Commuter Benefits Ordinance, and would either provide a pre-tax election or employer paid benefit.
Emergency Ride	All persons employed in San	☒ Project	The project sponsor would

Table 4

GHG Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
Home Program	Francisco are eligible for the emergency ride home program.	Complies ☐ Not Applicable ☐ Project Does Not Comply	comply with the Emergency Ride Home Program by enrolling in the program, and complying with its provisions, either by paying travel expenses for employee emergencies, which would be reimbursable by the City, or by notifying employees of the program.
Transit Impact Development Fee (*Planning Code,* Section 411)	Establishes fees for all commercial developments. Fees are paid to the SFMTA to improve local transit services.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The project sponsor would be required to pay $10 per square foot toward the Transit Impact Development fee program as described in Section 411 of the *Planning Code.*
Bicycle Parking in New and Renovated Commercial Buildings (*Planning Code,* Section 155.4)	Professional Services: (A) Where the gross square footage of the floor area is between 10,000-20,000 square feet, 3 bicycle spaces are required. (B) Where the gross square footage of the floor area is between 20,000-50,000 square feet, 6 bicycle spaces are required. (3)Where the gross square footage of the floor area exceeds 50,000 square feet, 12 bicycle spaces are required. Retail Services:	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	For the proposed project's health club, retail, and restaurant uses, Section 155.4(e) requires six bicycle parking spaces for square footages between 20,000 and 50,000 square feet. The proposed project would be required to provide six bicycle parking spaces, which it would do.

Table 4

GHG Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
	(A) Where the gross square footage of the floor area is between 25,000 square feet - 50,000 feet, 3 bicycle spaces are required. (2) Where the gross square footage of the floor area is between 50,000 square feet-100,000 feet, 6 bicycle spaces are required. (3) Where the gross square footage of the floor area exceeds 100,000 square feet, 12 bicycle spaces are required.		
Energy Efficiency Sector			
San Francisco Green Building Requirements for Energy Efficiency (SF *Building Code,* Chapter 13C)	Commercial buildings greater than 5,000 sf will be required to be at a minimum 14% more energy efficient than Title 24 energy efficiency requirements. In 2008 large commercial buildings were required to have their energy systems commissioned, and in 2010, these large buildings were required to provide enhanced commissioning in compliance with LEED® Energy and Atmosphere Credit 3. Mid-sized commercial buildings were required to have their systems commissioned by 2009,	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the San Francisco Green Building Ordinance (SFGBO) requirements for energy efficiency, enforceable through the building permit process.

Table 4

GHG Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
	with enhanced commissioning by 2011.		
San Francisco Green Building Requirements for Stormwater Management (SF *Building Code,* Chapter 13C) Or San Francisco Stormwater Management Ordinance (*Public Works Code* Article 4.2)	Requires all new development or redevelopment disturbing more than 5,000 square feet of ground surface to manage stormwater on-site using low impact design. These projects are required to comply with LEED® Sustainable Sites Credits 6.1 and 6.2, or comply with the City's Stormwater ordinance and stormwater design guidelines.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with SFGBO requirements for stormwater management, through compliance with the Stormwater Ordinance.
San Francisco Green Building Requirements for Water Use Reduction (SF *Building Code,* Chapter 13C)	All new commercial buildings greater than 5,000 sf are required to reduce the amount of potable water used by 20%.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the SFGBO requirements for water use reduction.
Commercial Water Conservation Ordinance (SF *Building Code,* Chapter 13A)	Requires all existing commercial properties undergoing tenant improvements to achieve the following minimum standards: 1. All showerheads have a maximum flow of 2.5 gallons per minute (gpm).	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the SFGBO requirements for commercial water conservation.

Table 4

GHG Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
	2. All showers have no more than one showerhead per valve. 3. All faucets and faucet aerators have a maximum flow rate of 2.2 gpm/ 4. All Water Closets (toilets) have a maximum rated water consumption of 1.6 gallons per flush (gpf).. 5. All urinals have a maximum flow rate of 1.0 gpf. 6. All water leaks have been repaired.		
Renewable Energy Sector			
San Francisco Green Building Requirements for Renewable Energy (SF *Building Code,* Chapter 13C)	By 2012, all new commercial buildings will be required to provide on-site renewable energy or purchase renewable energy credits pursuant to LEED® Energy and Atmosphere Credits 2 or 6. Credit 2 requires providing at least 2.5% of the buildings energy use from on-site renewable sources. Credit 6 requires providing at least 35% of the building's electricity from renewable energy contracts	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be required to comply with the requirements for renewable energy through the building permit process.
Waste Reduction Sector			
San Francisco Green Building	Pursuant to Section 1304C.0.4 of the SFGBO, all new	☒ Project Complies	The proposed project would comply with the SFGBO

Table 4

GHG Regulations Applicable to the Proposed Project

Regulation	Requirements	Project Compliance	Discussion
Requirements for Solid Waste (SF *Building Code,* Chapter 13C)	construction, renovation, and alterations subject to the ordinance are required to provide recycling, composting and trash storage, collection, and loading that is convenient for all users of the building.	☐ Not Applicable ☐ Project Does Not Comply	requirements for solid waste.
Mandatory Recycling and Composting Ordinance (*Environment Code,* Chapter 19)	The mandatory recycling and composting ordinance requires all persons in San Francisco to separate their refuse into recyclables, compostables and trash, and place each type of refuse in a separate container designated for disposal of that type of refuse.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the Mandatory Recycling and Composting Ordinance.
San Francisco Green Building Requirements for Construction and Demolition Debris Recycling (SF *Building Code,* Chapter 13C)	Projects proposing demolition are required to divert at least 75% of the project's construction and demolition debris to recycling.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with the SFGBO requirements for construction and demolition debris recycling.
San Francisco Construction and Demolition Debris Recovery Ordinance (SF *Environment Code,* Chapter	Requires that a person conducting full demolition of an existing structure to submit a waste diversion plan to the Director of the Environment which provides for a minimum of 65% diversion from landfill	☒ Project Complies ☐ Not Applicable ☐ Project Does Not	The proposed project would comply with the San Francisco's Construction and Demolition Debris Recovery Ordinance.

Table 4 GHG Regulations Applicable to the Proposed Project			
Regulation	Requirements	Project Compliance	Discussion
14)	of construction and demolition debris, including materials source separated for reuse or recycling.	Comply	
Environment/Conservation Sector			
Street Tree Planting Requirements for New Construction (*Planning Code* Section 138.1)	*Planning Code* Section 138.1 requires new construction, significant alterations or relocation of buildings within many of San Francisco's zoning districts to plant on 24-inch box tree for every 20 feet along the property street frontage.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would comply with San Francisco's Street Tree Planting Requirements for New Construction, under the building permit review process.
Wood Burning Fireplace Ordinance (San Francisco *Building Code*, Chapter 31, Section 3102.8)	Bans the installation of wood burning fire places except for the following: • Pellet-fueled wood heater • EPA approved wood heater • Wood heater approved by the Northern Sonoma Air Pollution Control District	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would not include wood burning fireplaces.
Regulation of Diesel Backup Generators (San Francisco *Health Code*, Article 30)	Requires (among other things): • All diesel generators to be registered with the Department of Public Health • All new diesel generators must be equipped with the best available air emissions control technology.	☒ Project Complies ☐ Not Applicable ☐ Project Does Not Comply	The proposed project would be required to comply with Article 30 of the San Francisco *Health Code*.

Impact C-GG-2: The proposed project would not result in a contribution to cumulatively considerable greenhouse gas emissions. (Less than Significant)

All potential future projects would be required to comply with San Francisco's *Strategies to Address Greenhouse Gas Emissions,* which ensures that cumulative development would have a *less-than-significant* greenhouse gas impact.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
9. WIND AND SHADOW—Would the project:					
a) Alter wind in a manner that substantially affects public areas?	☐	☐	☐	☒	☐
b) Create new shadow in a manner that substantially affects outdoor recreation facilities or other public areas?	☐	☐	☐	☒	☐

Impact WS-1: The proposed project would not result in a significant impact on wind patterns. (No Impact)

Wind impacts are generally caused by large building masses extending substantially above their surroundings, and by buildings oriented so that a large wall catches a prevailing wind, particularly if such a wall includes little or no articulation. The proposed project would seismically retrofit and adaptively re-use the existing Metro Theater building as a private fitness facility, community theater, retail space, and a full-service restaurant. The project would not add height to the existing building or otherwise alter the massing and orientation of the project building. Therefore, the proposed project would have *no impact* on ground level winds or wind patterns in the vicinity of the project site.

Impact C-WS-2: The proposed project in combination with other past, present or reasonably foreseeable projects would not result in significant cumulative impacts on wind patterns. (No Impact)

Based on the information provided above, the proposed project would have no potential to contribute to wind impacts from other potential and future development in the project vicinity. As such, the proposed project would have *no cumulative impact* on wind patterns.

Impact WS-3: The proposed project would not result in new shadows in a manner that substantially affects outdoor recreation facilities or other public areas. (No Impact)

Section 295 of the *Planning Code* was adopted in response to Proposition K (passed in November 1984) in order to protect public open spaces under the jurisdiction of the Recreation and Park Commission from shadowing by new and altered structures during the period between one hour after sunrise and one hour before sunset, year round. Section 295 restricts new shade and shadow upon public open spaces under the jurisdiction of the Recreation and Parks Department by any structure exceeding 40 feet in height unless the Planning Commission and the Recreation and Park Commission finds the shadow to be an insignificant effect. The proposed project would include seismic retrofit and adaptive re-use of an existing building and would not involve adding height to the building, and hence, it would not create any new shadow. Therefore, the proposed project would not be subject to Section 295 of the *Planning Code.*

It is the intent of CEQA, however, to address shadow on all public open spaces, not just those under the jurisdiction of the Recreation and Parks Department. In the case of the proposed project, there is no potential to create new shadow on public open space since the height of the project building would not be altered. Therefore, the proposed project would have *no shadow impact.*

Impact C-WS-4: The proposed project, in combination with other past, present or reasonably foreseeable projects would not result in any significant shadow impact. (No Impact)

Because the proposed project would not alter the existing building envelope of the Metro Theater, the project would have no potential to contribute to shadow impacts from other potential and future development in the project vicinity. Therefore, the proposed project would have *no cumulative impact* on shadows.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
10. RECREATION—Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	☒	☐	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	☒	☐	☐
c) Physically degrade existing recreational resources?	☐	☐	☒	☐	☐

Impact RE-1: The proposed project would result in less-than-significant impacts related to an increase in the use of existing parks and recreational facilities, the deterioration of such facilities, or require the expansion of recreational facilities. (Less than Significant)

The closest public open space in the immediate project vicinity is Allyne Park, a neighborhood park located three blocks to the east, on the northwest corner of Green Street and Gough Street. Four blocks to the north is the George R. Moscone Recreational Center Park in the Marina District, which includes tennis courts, baseball fields, basketball courts, and other outdoor play areas as well as indoor facilities. Alta Plaza Park in the Pacific Heights area, located at the southwest corner of Jackson Street and Steiner Street, about 0.4 mile southwest of the project site is another large park with restrooms as the only amenity. Lafayette Park, also in Pacific Heights, is a similar size and type of park, located about 0.45 miles south of the project site, at Gough Street and Washington Street. All four properties are under the jurisdiction of the Recreation and Parks Department. There is no other open space within a half-mile of the project.

The project site is not a public park or adjacent to City park property. The proposed project would involve the seismic retrofit and adaptive re-use of the existing Metro Theater building as a private fitness facility with a community theater use, a retail space, and a full-service restaurant. According to the project sponsor, the increased commercial use is expected to result in approximately 50 net new part-time employees on the project site, and is not likely to attract new employees to San Francisco or substantially increase the population in the vicinity. Therefore, the proposed project is unlikely to result in an increased use of existing regional and neighborhood parks or other recreational facilities within the project vicinity. In addition, the proposed project would not require the construction or expansion of recreational facilities, nor would it physically degrade existing recreational resources. The proposed project would add a private indoor recreational facility to the neighborhood, thereby adding a recreational resource (although private) in the Cow Hollow neighborhood. Hence, the proposed project would not adversely affect recreational resources in the project vicinity; and therefore, this impact would be considered *less than significant*.

Impact C-RE-2: The proposed project, in combination with other past, present, or reasonably foreseeable projects would result in less-than-significant impacts to recreational resources. (Less than Significant)

The proposed project, which would not add residents to the area, would not significantly increase recreational resource demands above what would exist without the proposed project. Therefore, the proposed project would not result in cumulatively considerable impacts to recreational resources; and its impact would be considered *less than significant.*

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
11. UTILITIES AND SERVICE SYSTEMS— Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	☐
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	☐
d) Have sufficient water supply available to serve the project from existing entitlements and resources, or require new or expanded water supply resources or entitlements?	☐	☐	☒	☐	☐
e) Result in a determination by the wastewater treatment provider that would serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	☐
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☒	☐	☐

Impact UT-1: The proposed project would not exceed the wastewater treatment requirements of the Regional Water Quality Control Board, require or result in the construction of new, or expansion of existing, water, wastewater treatment facilities, or stormwater drainage facilities and the proposed project would be adequately served by the City's wastewater treatment provider. (Less than Significant)

The proposed project would not require new wastewater or stormwater collection and treatment facilities. Project-related wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards contained in the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the San Francisco Bay. The project site is covered entirely by impervious surfaces, and therefore would not affect the amount of stormwater drainage from the project site. The proposed interior expansion of the Metro Theater building and its adaptive re-use may incrementally increase the demand for wastewater treatment; however, it would not cause the collection treatment capacity to be exceeded, or require the expansion of wastewater treatment facilities or extension of a sewer trunk line. Therefore, the proposed project would have a *less-than-significant* impact on San Francisco's wastewater and stormwater systems.

Impact UT-2: The proposed project would increase the amount of water used on the site, but would be adequately served by existing entitlements and water resources. (Less than Significant)

The proposed project would increase the amount of water required to serve the private fitness facility, retail space, and a full-service restaurant. However, the proposed project would not result in a population increase beyond that assumed for planning purposes by the San Francisco Public Utilities Commission's (SFPUC) *2005 Urban Watershed Management Plan*.[49] The project would be served by the existing water supply, and would not require new or expanded water supply resources or entitlements. Therefore, the project's impact on water supply would be *less than significant*.

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[49] The SFPUC's *2005 Urban Water Management Plan* is based on data presented in the Association of Bay Area Government's (*Projections 2002: Forecasts for the San Francisco Bay Area to the Year 2025*, which includes all known or expected development projects in San Francisco through the year 2025.

Impact UT-3: The proposed project would increase the amount of solid waste generated on the project site, but would be adequately served by the 'landfill contracted to receive San Francisco's solid waste, and would comply with federal, state and local statutes and regulations related to solid waste. (Less than Significant)

San Francisco's solid waste, following the sorting of recyclable materials at the Norcal transfer station near Candlestick Park, is disposed of at the Altamont Landfill in Alameda County and is required to meet federal, state and local solid waste regulations. San Francisco residents currently divert approximately 77 percent of their solid waste to recycling and composting, meeting the City's previous goal of 75 percent diversion by 2010 and bringing the City closer to its current goal of zero waste by 2020.[50] With waste diversion and expansions that have occurred at the Altamont Landfill, there is adequate capacity to accommodate San Francisco's solid waste. The solid waste associated with the proposed project's partial interior demolition of the existing building on the site would be required to divert 65 percent of all non-hazardous construction waste for recycling and re-use, as required by the Construction, Demolition, and Debris Ordinance.[51] Therefore, solid waste generated from the project's demolition and operation would not substantially affect the projected life of the landfill and impacts from solid waste generation or impacts on solid waste facilities would be ***less than significant.***

Impact C-UT-4: The proposed project in combination with other past, present, or reasonably foreseeable projects would result in less-than-significant impacts to utilities and service systems. (Less than Significant)

Cumulative development in the project area, including the proposed residential building at 1650 Broadway, would incrementally increase demand on Citywide utilities and service systems. Given that the City's existing service management plans address anticipated growth in the region, the proposed project would not be expected to have a considerable effect on utility service provision or facilities under cumulative conditions.

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[50] San Francisco Department of the Environment. Zero Waste. Website available at: *http://sfgov.org/site/frame.asp?u=http://www.sfenvironment.org*. Accessed January 3, 2011.

[51] Available online at *http://www.sfbos.org/ftp/uploadedfiles/bdsupvrs/ordinances08/o0180-08.pdf*, accessed August 8, 2011.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Not Applicable
12. PUBLIC SERVICES— Would the project:					
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any public services such as fire protection, police protection, schools, parks, or other services?	☐	☐	☒	☐	☐

The project site is already served by existing public services including police and fire protection, schools, and parks. The location of the project site to and the project's effects on these services is described below.

Impact PS-1: The proposed project would result in less-than-significant impacts to public services including police and fire protection and schools and parks. (Less than Significant)

Police and Fire Protection

The project site currently receives police and fire protection services from the San Francisco Police Department (SFPD) and the San Francisco Fire Department (SFFD), respectively. The proposed project would seismically retrofit and adaptively re-use the existing Metro Theater building as private fitness, restaurant, and retail space. Although the proposed project would add 23,250 square feet of new interior space and increase the intensity of use on the site, overall demand for fire suppression and police service in the area is not expected to substantially increase as a result of the project.

The police station that serves the project site is the Northern Station, located at 1125 Fillmore Street, approximately 1.2 miles south of the project site. Other police stations are located at: (1) 660 Lombard Street (approximately 1.2 miles east of the project site), and (2) 301 Eddy Street (approximately 1.5 miles southeast of the project site).

The fire station that serves the project site is Station No. 16, located at 2251 Greenwich Street, approximately one-quarter mile from the project site. Farther fire stations that could serve the project site if necessary include Station No. 2, at 1340 Powell Street; Station No. 38, located at 2150 California Street, about 0.5 mile south of the project site; and Station No. 41, located at 1325 Leavenworth Street, about 1 mile southeast of the project. The proposed project will be equipped with fire prevention systems, such as fire sprinklers, smoke alarms, and fire alarms.

The proposed project is not anticipated to substantially increase the number of service calls received from the project site and immediate vicinity. Therefore, the proposed project would result in *less-than-significant impacts* to police and fire services.

Schools and Parks

The closest public school to the project site is Sherman Elementary school at 1651 Union Street, located approximately 0.35 mile east of the project site in San Francisco's Cow Hollow neighborhood. The project does not propose residential uses. As noted above on page 31, the project sponsor estimates that the proposed seismic retrofit and adaptive re-use of the existing Metro Theater building as a private fitness facility, a restaurant, and a retail use are expected to result in approximately 50 net new part-time employees on the project site, and is not likely to attract new employees to San Francisco or substantially increase the population in the vicinity. Since the proposed project is not likely to generate new students, the project would not increase the need for new or expanded school facilities. Therefore, the proposed project would have *no impact* on public schools.

As discussed in Section E.10, the closest open space to the proposed project is located approximately three blocks from the project site. The proposed project would not result in substantial adverse physical impacts from the construction or need for new parks and the proposed project would have *no impact* on park services.

Impact C-PS-2: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant public services impacts. (Less than Significant)

Cumulative development in the project area would incrementally increase demand for public services, but not beyond levels anticipated and planned for by public service providers. Thus, project-related impacts to public services would not be cumulatively considerable.

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Not Applicable
13. BIOLOGICAL RESOURCES— Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	☐
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	☐

Impact BI-1: The proposed project would have no impact on special status species, avian species, riparian, wetland, or sensitive natural communities, and would not conflict with an approved local, regional, or state habitat construction plan. (No Impact)

The project site is entirely developed with impermeable surfaces. No federally protected wetlands or riparian habitat occur on the project site or in the immediate vicinity. The project site does not fall within any local, regional, or state habitat conservation plans. Therefore, the proposed project would have *no impact* on wetlands, riparian habitat, and habitat conservation plans. Since the existing building and impervious surfaces occupy the entire project site, there is no potential for sensitive biological resources to be present on the site. In addition, the project site and its immediate vicinity are highly developed with residential and commercial uses. The project site does not provide vegetation capable of supporting avian species. Resident and migratory species, and rare, threatened, or endangered species are not affected by the existing buildings and hence the proposed project would not interfere with any such species. Therefore, the proposed project would have no impact on sensitive species and resident and/or migratory birds, and would not conflict with any local policies or ordinances directed at protecting biological resources.

Impact BI-2: The proposed project would not interfere with the movement of native resident or wildlife species or with established native resident or migratory wildlife corridors. (Less than Significant)

The City has recognized the documented risks that structures in the urban setting may present for birds, and has adopted Standards for Bird-Safe Buildings to describe the issue and provide guidelines for bird-safe design within the City. The policy document was adopted by the Planning Commission on July 15, 2011. The City is currently drafting an ordinance to specify recommendations for bird-safe design within the City. These guidelines propose a three-pronged approach to the problem: 1) establishment of requirements for the most hazardous conditions; 2) use of an educational checklist to educate project sponsors and their future tenants on potential hazards; and 3) creation and expansion of voluntary programs to encourage more bird-safe practices including acknowledging those who pursue certification through a proposed new program for "bird-safe building" recognition.

The combination of project characteristics that present the greatest risk to birds are called "bird-hazards." For example, buildings located within or immediately adjacent to open spaces of more than two acres with lush landscaping or buildings located immediately adjacent to open water or on a pier may be considered to have a bird hazard. The proposed project would not create bird hazards such as those.

Another type of bird-hazard is called a "bird-trap," which is a building-specific feature unrelated to the location of the building that create hazards for birds in flight. Bird-traps include transparent building corners, clear sightlines through a building broken only by glazing, clear glass walls, or a greenhouse on rooftops and balconies that have large, unbroken glazed segments. The proposed project is not on a migration corridor and is in a dense urban commercial corridor. Therefore the proposed project would have a *less-than-significant impact* on native and migratory wildlife species.

Impact BI-3: The proposed project would not conflict with the City's local tree ordinance. (No Impact)

The San Francisco Planning Department, DBI, and Department of Public Works (DPW) have established guidelines to implement legislation adopted by the Board of Supervisors to protect trees, including street trees. DPW Code Sections 8.02-8.11 require disclosure and protection of Landmark, significant, and street trees, collectively known as "protected trees," located on private and public property. A landmark tree has the highest level of protection and must meet certain criteria for age, size, shape, species, location, historical association, visual quality, or other contribution to the City's character, and has been found worthy of Landmark status after public hearings at both the Urban Forestry Council and the Board of Supervisors. A significant tree is either on property under the jurisdiction of the DPW, or on privately owned land within ten feet of the public-right-of-way which satisfies certain criteria. The project site does not contain any trees. Hence, *Planning Code* Sections 8.02 to 8.11 would not apply to the project site and the proposed project site, and therefore, the 'proposed project and would have ***no impact*** with respect to conflicts with local policies and ordinances adopted for the purposes of protecting biological resources.

Impact C-BI-4: The proposed project in combination with other past, present or reasonably foreseeable projects would not result in impacts to biological resources. (No Impact)

As discussed above, the project site does not contain biological resources, and the proposed project would not impact these resources. Therefore, the proposed project does not have the potential to contribute to cumulative impacts on biological resources.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
14. GEOLOGY AND SOILS— Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☒	☐	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	☐
iv) Landslides?	☐	☐	☒	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☐	☒
c) Be located on geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?	☐	☐	☒	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☐	☒
f) Change substantially the topography or any unique geologic or physical features of the site?	☐	☐	☒	☐	☐

The project site, as indicated in Section E.11 Utilities and Service Systems, is currently served by the City's combined sewer system. Therefore, the project site would not require the use of septic systems and checklist item 14.e would not be applicable to the proposed project. The project site is completely covered by impervious surfaces, therefore the project would not result in substantial soil erosion or topsoil, and checklist item 14.b is not applicable to the proposed project.

Impact GE-1: The proposed project would result in less-than-significant impacts related to exposure of persons or structures to seismic and geologic hazards. (Less than Significant)

The existing 13,000-square-foot (footprint) building would undergo seismic retrofit, and three new floors would be added in its interior. It is constructed of poured concrete with concrete beams that may be concrete-encased steel and the roof is supported on small steel beams and steel trusses. A structural evaluation prepared for the proposed project concluded that two major structural hazards are present in the existing building.[52] First, the concrete roof slab is supported by steel trusses that are likely supported by pilasters within the side walls, which are unbraced and inadequate to resist lateral forces. Because the pilasters are shorter than the full wall height of 46 feet, there is potential for the roof collapse. Second, there is a lack of shear resistance within the front façade in the transverse (east-west) direction, presenting a second significant structural weakness. The proposed seismic upgrade would include the addition of a new lateral load-resisting element toward the front of the building and strengthening the pilasters by adding new steel sections to reinforce the columns, and new steel beams between the roof and the existing concrete floor slab that was installed for slope seating to reduce the unbraced length of the front façade wall. The report goes on to state that new foundations will be required, and micropiles may be necessary to adequately and appropriately handle uplift and compressive forces. The report recommends further investigation to verify layout, such as column locations and geometry of existing structure, as well as to verify the make-up of structural elements.

The project site is not in an Alquist-Priolo Special Studies Zone and no known active fault exists on or in the immediate vicinity of the project site.[53] The project site is located approximately 7 miles east of the San Andreas Fault and 12 miles west of the Hayward Fault.[54] in an area subject to "non-structural" ground shaking from a 7.1 magnitude earthquake along the San Andreas Fault and "moderate" ground shaking from a 7.1 magnitude earthquake along the Hayward Fault based on the Modified Mercalli Intensity (MMI) Scale.[55] Based on these evaluations by the California Geological Survey, the project would be subject to potential damage from seismic activity, but the potential for surface faulting and ground rupture on the property site is low.

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[52] Holmes Culley. *Structural Evaluation Report: Metro Theater, 2055 Union Street, San Francisco, CA*. Project Number 07147.10. March 2008. This report is on file and available for review as part of Planning Department Case File No. 2010.0613E.

[53] California Department of Conservation, California Geological Survey, Table 4: Cities and Counties Affected by Alquist-Priolo Earthquake Fault Zones as of May 1, 1999. Accessed on January 1, 2011 at: *http://www.consrv.ca.gov/cgs/rghm/ap/Pages/affected.aspx*

[54] San Francisco Planning Department, *San Francisco General Plan*, Community Safety Element, Map 1: Bay Area Earthquake Faults.

[55] San Francisco Planning Department. *San Francisco General Plan, Community Safety Element*. Maps 2 and 3. August 1997. This document is available online at the Planning Department's website at: *www.sfplanning.org*. Accessed January 3, 2011.

The structural report indicates that there is a very low potential for soil liquefaction at the project site.[56] Soil liquefaction occurs when saturated, cohesionless, and near-surface soil layers loose strength when stressed by an extreme force (such as an earthquake). Based on the National Earthquake Hazard Reduction Program (NEHRP) soil map, the site appears to be underlain by soils of type S_D (stabilized dune land).[57]

The project site is located within a general area susceptible to potential landslides.[58] However, no grading is proposed and there is no significant sloping on or immediate upslope of the project site. Hence, slope stability is not anticipated to be a factor in the proposed construction. As such, the proposed project would have no impact with respect to potential landslide-induced hazards.

The structural report prepared for the proposed project includes recommendations for seismic bracing and strengthening of the building, and design approaches to construct three new floors within the building that would reduce potential impacts to seismic and geologic hazards. The recommendations include, among others, verification of foundations and possible enhancement of foundations to be achieved by adding more concrete, and ensuring continuity of reinforcing steel by drilling through the existing footings. The report also recommends strengthening side-wall columns to resist concrete wall out-of-plane forces; bracing walls at the front façade with steel beams to resist out-of-plane forces; introducing a new lateral-load resisting element at the front façade; and adding lateral bracing to the ceiling in order to strengthen its support if the ceiling is to be retained. The project sponsor has agreed to follow the recommendations contained in the structural report, and all recommended measures would be included in building construction.

Potential seismic and geologic hazards would be addressed through compliance with the California and San Francisco Building codes, as implemented by DBI. The building plans and the structural report would be reviewed by DBI prior to approval of a building permit. To ensure compliance with all San Francisco Building Code provisions regarding structural safety, DBI would determine necessary engineering and design features for the project building in order to reduce potential damage to the structure from groundshaking, liquefaction, and compressibility. These potential hazards would be ameliorated through the DBI requirement for a geotechnical report, structural report, and review of the building permit application. Therefore, the project would result in *less-than-significant* impacts related to seismic and geologic hazards.

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[56] Holmes Culley, *op. cit.*

[57] *Ibid.*

[58] San Francisco Planning Department. *San Francisco General Plan, Community Safety Element.* Map 5. August 1997. This document is available online at the Planning Department's website at: *www.sfplanning.org*. Accessed January 3, 2011.

Impact GE-2: The proposed project would result in less-than-significant impacts related to soil erosion or substantial changes in the project site's topography or any unique geologic or physical features of the site. (Less than Significant)

The project site slopes upward toward the south, with an elevation of 82 feet above mean sea level (msl) at the front of the site and an elevation of 92 feet above msl at the rear of the site, for a slope of approximately ten percent.[59] The back of the theater building was constructed into the slope of the hill in order to have a level horizontal foundation inside the building.[60] The project site is covered entirely with impervious surfaces, and topography on and adjacent to the project site would not be altered by the proposed project. There is no unique geologic or physical feature on the site.

The proposed project would include the seismic retrofit of the existing Metro Theater building interior and construction of three new floors within the existing space of the building. All improvements would be made on currently impervious surfaces and the proposed project would not increase the amount of impervious surfaces. Given that the site is already covered with impervious surfaces, the proposed project would not result in substantial soil erosion or the loss of topsoil. Therefore, impacts resulting from soil erosion or loss of topsoil would be *less than significant.*

Impact C-GE-3: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant impacts to geology and soils. (Less than Significant)

Geology impacts are generally site specific and in this project setting would not have cumulative effects with other projects. Thus, the proposed project would not contribute to any significant cumulative effects on geology or soils.

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[59] U.S. Geological Survey, 7.5-Minute Topographical Map, San Francisco North Quadrangle.

[60] Holmes Cully, *op. cit.*

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Not Applicable
15. HYDROLOGY AND WATER QUALITY—Would the project:					
a) Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion of siltation on- or off-site?	☐	☐	☐	☒	☐
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	☐	☐	☐	☒	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	☐
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	☐
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other authoritative flood hazard delineation map?	☐	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	☐	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☐	☒
j) Expose people or structures to a significant risk of loss, injury, or death involving inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☐	☒

Flood risk assessment and some flood protection projects are conducted by federal agencies including the Federal Emergency Management Agency (FEMA) and the U.S. Army Corps of Engineers (Corps). The flood management agencies and cities implement the National Flood Insurance Program (NFIP) under the jurisdiction of FEMA and its Flood Insurance Administration. Currently, the City and County of San Francisco does not participate in the NFIP and no flood maps are published for the City. However, FEMA is preparing Flood Insurance Rate Maps (FIRMs) for the City and County of San Francisco for the first time. FIRMs identify areas that are subject to inundation having a one percent chance of occurrence in a given year (also known as a "base flood" or "100-year flood"). FEMA refers to the flood plain that is at risk from such an occurrence as a special flood hazard area ("SFHA").

FEMA has tentatively identified SFHAs along the City's shoreline in and along the San Francisco Bay and Pacific Ocean consisting of Zone A (in areas subject to inundation by tidal surge) and Zone V (areas of coastal flooding subject to wave hazards).[61] The project site is not located in either zone.

The project site is well outside the City's shoreline areas and, given its elevation ranging from 82 feet to 92 feet msl, there is no flood potential at the project site. According to the preliminary map, the project site is not located within a flood zone designated on the City's interim floodplain map. In addition, the project site is not located in an area mapped as a 100-year flood hazard area. Checklist items 15g, 15h, and 15i are ***not applicable*** to the proposed project, and are not analyzed further.

According to the *General Plan's* Community Safety Element, the project site is not located within an area subject to tsunami run-up, or levee or dam failure.[62] The project site does not pose a risk from seiche or mudflow. Therefore, Checklist item 15j is ***not applicable*** to the proposed project, and is not analyzed further.

Impact HY-1: The proposed project would not violate any water quality standards or waste discharge requirements, and thus would result in less-than-significant impacts to water quality and waste discharge. (Less than Significant)

The proposed project would not substantially degrade water quality or contaminate a public water supply. As discussed in Section E.11 Utilities and Service Systems, the proposed project's wastewater and stormwater would continue to flow into the City's combined stormwater and sewer system and would be treated to the standards of the City's National Pollutant Discharge Elimination System (NPDES) Permit for the Southeast Water Pollution Control Plant, prior to discharge into the San Francisco Bay . Treatment would be provided pursuant to the effluent discharge standards contained in the City's NPDES permit for the plant. During construction, there could be a slight potential for soil erosion and the transport of soil particles during renovation of the existing building foundation. If surface water runoff occurs during project construction, sediment and other pollutants would drain from the construction site into the combined sewer and stormwater system, and be treated at the Southeast Water Pollution Control Plant prior to discharge into San Francisco Bay. Pursuant to the San Francisco Building Code and the City's NPDES permit, the project sponsor would be required to implement measures to reduce potential erosion impacts. During construction and operation, the proposed project would be required to comply with all local wastewater discharge and water quality requirements. Therefore, the proposed project would not substantially degrade water quality, and impacts on water quality would be *less than significant.*

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[61] City and County of San Francisco, Office of the City Administrator, National Flood Insurance Program Flood Sheet, *http://www.sfgov.org/floodplain*, accessed May 15, 2011.

[62] San Francisco *General Plan*, Community Safety Element. Maps 6 and 7.

Impact HY-2: The proposed project would not substantially deplete groundwater supplies or interfere with groundwater recharge, or otherwise substantially alter the existing drainage pattern of the site resulting in erosion or flooding on- or off-site. (No Impact)

The proposed project does not involve the alteration of any hydrologic features, including a stream or river. The proposed project would not increase impermeable surfaces on the project site; and therefore, it would not increase the amount of surface runoff that drains into the City's combined sewer system. Based on the identified groundwater level at a nearby site on Lombard Street, three blocks downhill from the project site, where groundwater is between 20 and 27 feet below ground surface, the groundwater at the project site could be at a similar depth.[63] Subsurface disturbance would occur to a maximum depth of three feet; as noted above in E.15 Geology and Soils. Therefore, there would be no potential for encountering groundwater during construction, and dewatering would not be required. The proposed project would not alter existing groundwater or surface flow conditions, and there would be *no impact* on groundwater and site runoff.

Impact C-HY-3: The proposed project in combination with other past, present, or reasonably foreseeable projects would result in less-than-significant hydrology and water quality impacts. (Less than Significant)

The proposed project would have a less-than-significant impact on water quality standards, and would have no impact on stormwater, groundwater, drainage, and runoff, and thus would not contribute considerably to cumulative impacts to water quality and hydrology. Cumulative development in the project area could result in intensified land uses, and hence a cumulative increase in wastewater generation. The SFPUC, which provides wastewater treatment for the City, has accounted for such growth in its service projections. Thus, the project would not contribute to any cumulatively considerable impacts on hydrology or water quality.

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[63] San Francisco Planning Department, *Lombard Plaza Hotel Mitigated Negative Declaration, 2026 Lombard Street,* June 12, 2003. Case Number **Error! Main Document Only.**2002.0497E. This document is available for public review as part of Case No. 2002.049E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
16. HAZARDS AND HAZARDOUS MATERIALS—Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☒	☐	☐	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☐	☒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☐	☒
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐
h) Expose people or structures to a significant risk of loss, injury, or death involving fires?	☐	☐	☒	☐	☐

The project site is not located on the Cortese List, compiled under Government Code Section 65962.5. Other hazardous materials databases include the Department of Toxic Substances Control's (DTSC's) Site Mitigation and Brownfields Re-Use Program's EnviroStor database, which identifies sites that have known contamination or hazardous sites for which there may be reasons to investigate further. Therefore checklist item 16d is not applicable to the proposed project.

The project site is not located within an airport land use plan area, nor is it in the vicinity of a private airstrip. Therefore, checklist items 16e and 16f are not applicable to the proposed project.

Impact HZ-1: The proposed project would not create a significant hazard through routine transport, use, disposal, handling, or emission of hazardous materials. (Less than Significant)

The project would involve demolition of parts of the interior of the building on site, which may include asbestos and lead-based paint. These hazardous materials are addressed under Impact HZ-2, below. The project would involve a seismic retrofit and adaptive re-use of the landmark Metro Theater, including a 23,250-square-foot interior addition, with a private fitness facility, community theater, and retail and restaurant uses, which would result in increased use of relatively small quantities of hazardous materials for routine purposes. The project would likely result in additional handling of common types of hazardous materials, such as cleaners and disinfectants. These products are labeled to inform users of their potential risks and to instruct them in appropriate handling procedures. Most of these materials are consumed through use, resulting in relatively little waste. Businesses are required by law to ensure employee safety by identifying hazardous materials in the workplace, providing safety information to workers who handle hazardous materials, and adequately training workers. For these reasons, hazardous materials used during project operation would not pose any substantial public health or safety hazards resulting from hazardous materials. Thus, the project would result in *less-than-significant* impacts related to the use of hazardous materials.

Impact HZ-2: The proposed project may create a significant hazard to the public or the environment through reasonably foreseeable conditions involving the release of hazardous materials into the environment. (Less than Significant with Mitigation)

Prior Uses of the Site

The Historic Resource Evaluation prepared for the project did not identify any prior developed uses of the project site.[64] The project area consisted of sand dunes and meadows used for cow grazing until the

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[64] Page & Turnbull, *op. cit.*

1849 Gold Rush, when saloons, roadhouses, blacksmith shops, breweries, and Chinese laundries were developed along Presidio Road, which eventually became Union Street. Refugee camps were established in the area following the 1906 Earthquake and Fire. Historic topographic maps from 1899 and 1915 show no development on the project site, though there were structures immediately to the east of the site by 1915.[65] The Metro Theater (originally the Metropolitan Theatre) was constructed on the site in 1924. Given the brief six-year period between 1915, when the site was mapped as vacant, and 1924, when the current building was constructed, it is unlikely any structures were erected on the site before the theater was built. Given the nature of other development along Presidio Road during this era, the use of hazardous materials on the site prior to construction of the Metro Theater is unlikely.

There is no active permitted underground storage tank facility (UST), leaking underground storage tank (LUST) cleanup site, or other hazardous materials release site on the project block or within a 1,000-foot radius of the site as tracked by the State Water Resources Control Board (SWRCB), Regional Water Quality Control Board, Department of Pesticide Regulation, Department of Water Resources, U.S. Geological Survey, or the Lawrence Livermore National Laboratory.[66] One open file of an "other cleanup site" of "unknown" address and no specified contaminants of concern appears to be associated with the PG&E North Beach facility approximately 0.4 miles north of the project site identified below. There is no information on the SWRCB's website indicating that the site poses any environmental threat to the proposed project.

Of 33 active hazardous waste and hazardous materials release sites listed on the California Department of Toxic Substances Control data base (which includes Federal Superfund Sites, State Response Sites, Voluntary Cleanup Sites, School Cleanup Sites, Corrective Action Sites, Tiered Permit Sites, Permitted Hazardous Waste Facilities, Post Closure and Hazardous Waste Facilities, and Historical Non-Operating Hazardous Waste Facilities), only two are within one-half mile of the project site: (1) the PG&E Former North Beach Manufactured Gas Plant at 1575 North Point Street, 0.47 mile north of the project site; and (2) the PG&E Former Fillmore Manufactured Gas Plant, at Fillmore Street/Bay Street/Cervantes Boulevard, 0.45 mile northwest of the project site. Both facilities are voluntary cleanup sites with lead contamination;

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[65] U.S. Geological Survey, 15-Minute Topographical Map, San Francisco North Quadrangles, 1899 and 1915, accessed on January 4, 2011 at: *http://sunsite.berkeley.edu/histopo/#*

[66] California Environmental Protection Agency, State Water Resources Control Board, Groundwater Ambient Monitoring & Assessment Program (GAMA), GeoTracker GAMA Groundwater Data Sources, Accessed January 4, 2011 at: *http://geotracker.swrcb.ca.gov/map/?CMD=runreport&myaddress=2055+Union+St.%2C+san+francisco%2C+ca*

and both facilities ceased gas production following the 1906 Earthquake.[67] Neither site poses an environmental hazard to the project site.

The proposed project would consist of seismic retrofit and adaptive re-use of an existing building. Limited excavation or other subsurface disturbance would be required, to a maximum depth of three feet, as described above on page 42, under Cultural and Paleontological Resources. As discussed above in section E.15, Hydrology and Water Quality, depth to groundwater at the site may be 20 feet or more. With no evidence of contaminated soil on or in proximity to the project site, and no potential for encountering groundwater, there is no potential during project construction for release of hazardous materials into the environment from contaminated soil or groundwater during construction of the project. There would be a ***less-than-significant impact*** related to the release, distribution, emission, of hazardous materials from soil or groundwater.

However, as discussed below, given the age of the building and the subsequent renovations, it is possible that extant building materials may contain asbestos or lead-based paint.

Hazardous Building Materials – Asbestos

Due to the age of the existing building, constructed in approximately 1924 and extensively renovated in 1941, asbestos-containing materials may be found within the existing building proposed for demolition. Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos. The project sponsor has retained an environmental consultant, who found in sampling test(s) that there is no asbestos in the plaster of the auditorium dropped ceiling,[68] and additional testing would be undertaken as required by DBI. BAAQMD is vested by the California legislature with authority to regulate airborne pollutants, including asbestos, through both inspection and law enforcement, and is to be notified ten days in advance of any proposed demolition or abatement work.

Notification includes the names and addresses of operations and persons responsible; description and location of the structure to be demolished/altered including size, age and prior use, and the approximate amount of friable asbestos; scheduled starting and completion dates of demolition or abatement; nature of planned work and methods to be employed; procedures to be employed to meet BAAQMD requirements; and the name and location of the waste disposal site to be used. The District randomly inspects asbestos removal operations. In addition, the District would inspect any removal operation for which a complaint has been received.

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[67] California Department of Toxic Substances Control, EnviroStor Data Base of Cleanup Sites and Hazardous Waste Permitted Facilities, accessed January 4, 2011 at: *http://www.envirostor.dtsc.ca.gov/public/*

[68] ACC Environmental Consultants, *Limited Plaster Bulk Sample Results – Metro Theater*, January 22, 2009. This document is available for public review as part of Case No. 2010.0613E at 1650 Mission Street, Suite 400, San Francisco, CA 94103.

The local office of the State Occupational Safety and Health Administration (OSHA) must be notified of asbestos abatement to be carried out. Asbestos abatement contractors must follow state regulations contained in 8CCR1529 and 8CCR341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos containing material. Asbestos removal contractors must be certified as such by the Contractors Licensing Board of the State of California. The owner of the property where abatement would occur must have a Hazardous Waste Generator Number assigned by and registered with the Office of the California Department of Health Services in Sacramento. The contractor and hauler of the material are required to file a Hazardous Waste Manifest which details the hauling of the material from the site and the disposal of it. Pursuant to California law, DBI would not issue the required permit until the applicant has complied with the notice requirements described above.

The regulations and procedures described, already established as a part of the permit review process, would ensure that any potential hazardous building materials impacts due to the presence of asbestos would be reduced to a *less-than-significant* level.

Lead-Based Paint

The age of the building indicates that both interior and exterior paints could contain lead. Work that could result in disturbance of lead paint must comply with Section 3423 of the Building Code, Work Practices for Exterior Lead–Based Paint on Pre–1979 Buildings and Steel Structures. Where there is any work that may disturb or remove lead paint on the exterior of any building, or the interior of occupied buildings built prior to or on December 31, 1978, Section 3407 requires specific notification and work standards and identifies prohibited work methods and penalties.

Section 3423 applies to buildings or steel structures on which original construction was completed prior to 1979, which are assumed to have lead-based paint on their surfaces, unless a certified lead inspector/assessor has tested those surfaces for lead and has determined that it is not present according to the definitions of Section 3407. The Ordinance also applies the criterion to residential buildings, hotels, and childcare centers. The ordinance contains performance standards at least as effective at protecting human health and the environment as those in the Department of Housing and Urban Development

(HUD) Guidelines,[69] and identifies prohibited practices that may not be used during disturbance or removal of lead paint. Any person performing work subject to the ordinance shall, to the maximum extent possible, protect the ground from contamination during exterior work, protect floors and other horizontal surfaces from work debris during interior work, and make all reasonable efforts to prevent migration of lead paint contaminants beyond barriers during the course of the work. Clean up standards require the removal of visible work debris, including the use of a High Efficiency Particulate Air Filter (HEPA) vacuum following interior work.

The Ordinance also includes notification requirements, contents of notice, and requirements for project site signs. Prior to commencement of exterior work that disturbs or removes 100 or more gsf or 100 or more linear feet of lead-based paint in total, the responsible party must provide the Director of DBI with a written notice that describes the following aspects of the work to be performed: (1) address and location of the proposed project; (2) the scope and specific location(s) of the work; (3) whether the responsible party has reason to know or presume that lead-based paint is present; (4) the methods and tools for paint disturbance and/or removal; (5) the approximate age of the structure; (6) anticipated job start and completion dates for the work; (7) whether the building is residential or nonresidential; (8) whether it is owner-occupied or rental property; (9) the approximate number of dwelling units, if any; (10) the dates by which the responsible party has or will fulfill any tenant or adjacent property notification requirements; and (10) the name, address, telephone number, and pager number of the party who will perform the work. Further notice requirements include the following: (1) a Post Sign notifying the public of restricted access to work area, (2) a Notice to Residential Occupants, (3) availability of pamphlet related to protection from lead in the home, and Early Commencement of Work [by Owner, Requested by Tenant], and (4) Notice of Lead Contaminated Dust or Soil, if applicable.) The ordinance contains provisions regarding inspection and sampling for compliance by DBI and enforcement, and describes penalties for non-compliance with the requirements of the ordinance.

These regulations and procedures, already established as part of the review process for building permits, would ensure that potential lead-based paint impacts of the proposed project would be reduced to a *less-than-significant* level.

Hazardous Building Materials-Polychlorinated biphenyls [1]

In addition to asbestos containing building materials and lead-based paint, hazardous polychlorinated biphenyls (PCBs) were frequently used in fluorescent light fixtures manufactured prior to 1978. Although newer light fixtures would not contain PCB ballasts, for purposes of this analysis, the potential presence of PCBs in the fluorescent light fixtures in the building must be assessed and reviewed. Fluorescent light bulbs are also regulated for mercury content for the purpose of disposal. Inadvertent release of such materials during building demolition could expose construction workers, occupants, or visitors to these substances and could result in various adverse health effects if exposure were of sufficient quantity. Although abatement or notification programs such as those described above for asbestos and lead-based paint have not been adopted for PCB and mercury testing and cleanup, items containing these or other toxic substances that are intended for disposal must be managed as hazardous waste and handled in accordance with OSHA worker protection requirements. Potential impacts associated with encountering PCBs, mercury, lead or other hazardous substances in building materials would be considered a *significant* impact. Hazardous building materials sampling and abatement pursuant to existing regulations prior to renovation work, as described in mitigation measure M-HZ-4, would reduce impacts associated with PCBs, mercury, lead, and other toxic building substances in structures to *less-than-significant* levels.

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[69] The most recent *Guidelines for Evaluation and Control of Lead-Based Paint Hazards.*

Mitigation Measure M-HZ-2: Other Hazardous Building Materials (PCBs, Mercury, Lead, and others)

> The project sponsor would ensure that pre-construction building surveys for asbestos-, PCB- and mercury-containing equipment, hydraulic oils, fluorescent lights, lead, mercury and other potentially toxic building materials are performed prior to the start of any demolition or renovation activities. Any hazardous building materials discovered during surveys would be abated according to federal, state, and local laws and regulations.

Impact HZ-3: The proposed project would not handle hazardous materials within a quarter-mile of a school. (No Impact)

No school or planned future school is located within one-quarter mile of the project site. The closest public school to the project site is Sherman Elementary school, located at 1651 Union Street, approximately 0.35 mile east of the project site. Any hazardous materials on the site, such as asbestos or lead-based paint, removed during demolition prior to project construction, would be handled in compliance with applicable laws and regulations. Thus, the proposed project would have *no impact* with respect to the handling of hazardous materials within one-quarter mile of a school.

Impact HZ-4: The proposed project would not impair or interfere with an adopted emergency response or evacuation plan or expose people to a significant risk involving fires. (Less than Significant)

The proposed project does not contain any features that would result in additional exposure of people or structures to a significant risk of loss, injury, or death involving fires. San Francisco ensures fire safety and emergency accessibility within new and existing developments through provisions of its Building and Fire Codes. The project would conform to these standards, which may include development of an emergency procedure manual and an exit drill plan for the proposed project. Potential fire hazards (including those associated with hydrant water pressure and blocking of emergency access points) would be addressed during the building permit review process. Conformance with these standards would ensure appropriate life safety protections for the commercial structure. Hence, the project would have a *less-than-significant* impact on fire safety and emergency access.

Impact C-HZ-5: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant cumulative hazards and hazardous materials impacts. (Less than Significant)

Impacts from hazardous materials are generally site-specific and typically do not result in cumulative impacts. Any hazards at nearby sites would be subject to the same safety requirements discussed above for the proposed project, which would reduce any hazard effects to less-than-significant levels. Therefore, the project would not contribute to cumulatively considerable significant effects related to hazards and hazardous materials.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
17. MINERAL AND ENERGY RESOURCES—Would the project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	☐
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Not Applicable
c) Encourage activities which result in the use of large amounts of fuel, water, or energy, or use these in a wasteful manner?	☐	☐	☒	☐	☐

Impact ME-1: The proposed project would have no impact on mineral resources. (No Impact)

All land in San Francisco, including the project site, is designated Mineral Resource Zone 4 (MRZ-4) by the California Division of Mines and Geology (CDMG) under the Surface Mining and Reclamation Act of 1975 (CDMG, Open File Report 96-03 and Special Report 146 Parts I and II).[70] This designation indicates that there is not adequate information available for assignment to any other MRZ and thus the site is not a designated area of significant mineral deposits. However, because the project site is already developed, future evaluation or designation of the site would not affect or be affected by the project. There is no operational mineral resource recovery site in the project vicinity whose operations or accessibility would be affected by the construction or operation of the project.

No known mineral deposits exist at the project site. Thus, the project would not result in the loss of availability of a locally- or regionally-important mineral resource, and the project would have *no impact* with respect to mineral resources.

Impact ME-2: The proposed project would consume additional energy, but not in large amounts or in a wasteful manner. (Less than Significant)

The proposed seismic retrofit and adaptive re-use of the Metro Theater use would not consume large amounts of fuel, water, or energy. Electricity generation would consume additional natural gas and coal fuel. New construction in San Francisco is required to conform to current state and local energy conservation standards, including Title 24 of the California Code of Regulations. The Department of Building Inspection enforces Title 24 compliance, and documentation demonstrating compliance with these standards is submitted with the application for the building permit. As a result, the proposed project would result in a *less-than-significant* impact on the use of energy and other non-renewable natural resources.

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[70] Available online at *http://www.conservation.ca.gov/omr/smara/Pages/index.aspx*, accessed August 8, 2011

Impact C-ME-3: The proposed project in combination with other past, present or reasonably foreseeable projects would result in less-than-significant impacts to mineral and energy resources. (Less than Significant)

As described above, no known minerals exist at the project site, and therefore the project would not contribute to any cumulative impact on mineral resources. The California Energy Commission is currently considering applications for the development of new power-generating facilities in San Francisco, the Bay Area, and elsewhere in the state. These facilities could supply additional energy to the power supply grid within the next few years. These efforts, together with conservation, will be part of the statewide effort to achieve energy sufficiency. The project-generated demand for electricity would be negligible in the context of overall demand within San Francisco and the State, and would not in and of itself require a major expansion of power facilities. Therefore, the energy demand associated with the project would not contribute to a cumulative impact. Overall, the project would result in less-than-significant cumulative impacts related to mineral and energy resources.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
18. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. —Would the project					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)) or timberland (as defined by Public Resources Code Section 4526)?	☐	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☐	☒

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or forest land to non-forest use?	☐	☐	☐	☐	☒

The project site is located within an urbanized area of San Francisco. The California Department of Conservation's Farmland Mapping and Monitoring Program identifies the site as "Urban and Built-up Land" (Department of Conservation, 2002). Since the site does not contain agricultural uses and is not zoned for such uses, the proposed project would not convert any prime farmland, unique farmland, or Farmland of Statewide Importance to non-agricultural use, and it would not conflict with existing zoning for agricultural land use or a Williamson Act contract, nor would it involve any changes to the environment that could result in the conversion of farmland. No part of San Francisco falls under the State Public Resource Code definitions of forest land or timberland; hence, the project would not conflict with zoning for, or cause rezoning of, forest land, result in the loss of forest land, or convert forest land to non-forest use. Therefore, checklist items 18a through 18f are not applicable to the proposed project.

Topics:	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*	*Not Applicable*
19. MANDATORY FINDINGS OF SIGNIFICANCE—Would the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	☐

Topics:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact	Not Applicable
b) Have impacts that would be individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☐	☒	☐	☐
c) Have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒	☐

As discussed in E.4: Cultural and Paleontological Resources, beginning on page 32, the project sponsor is proposing renovations to a City-designated landmark. The renovations would not be consistent with the Secretary of the Interior's standards, and thus, the project would result in significant historical resource impacts. However, these impacts would be mitigated to less-than-significant levels with implementation of **Mitigation Measures M-CP-1a through M-CP-1d**. The project sponsor has agreed to implement these mitigation measures, and they would be conditions of project approval.[71]

As discussed in Section E.13, Biological Resources, the proposed project would have no impact with respect to habitat degradation or impacts to fish, wildlife and plant species.

As discussed in Section E.16, beginning on page 100, asbestos, lead-based paint, or other hazardous materials could be present in the building materials of the existing Metro Theater building, and such materials could be released to the environment during proposed demolition and construction activities, posing a potential health hazard to construction workers and members of the public. Any potential adverse impact to human health or the environment resulting from disturbance of hazardous building materials during demolition and construction activities would be reduced to a less-than-significant level by implementation of **Mitigation Measure M-HZ-2**, page 111, in Section F. Mitigation Measures and Improvement Measures, which requires pre-construction building surveys for hazardous materials; and if any hazardous materials are discovered abatement according to federal, state, and local laws and regulations. Accordingly, the proposed project would not result in a significant impact from the release of hazardous materials to the environment.

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[71] Stephane deBord, Project Sponsor, *Agreement to Implement Mitigation Measures*, September 22, 2011. This document is available for public review as part of Case No. 2010.0613E at the San Francisco Planning Department, 1650 Mission Street, Suite 400, San Francisco, CA 94103.

Both long-term and short-term environmental effects associated with the proposed project would be less than significant, as discussed under each environmental topic. Each environmental topic area includes an analysis of cumulative impacts. No significant project-specific or cumulative impact has been identified.

F. MITIGATION MEASURES

The following mitigation measures have been identified to reduce significant environmental impacts resulting from the proposed project to less-than-significant levels. The project sponsor has agreed to implement all mitigation measures described below (Project Sponsor agreement letter dated September 22, 2011, in Case File #2010.0613E).

Mitigation Measure M-CP-1a

The project sponsor shall complete HABS Level III documentation for the resource prior to Planning Department approval of any building permits application. HABS Level III documentation shall include existing condition plans and elevations or plans and elevations from the period of significance; large-format or rectified digital photographs of the exterior and interior; and, a narrative description.

Mitigation Measure M-CP-1b

The project sponsor shall install an on-site interpretative display designed by a qualified historic preservation professional describing the building's historical significance and including historic images of the building. The interpretive display as proposed shall be approved by Planning Department preservation staff prior to Planning Department approval of any building permit application. The interpretive display installation shall be included in construction plans and shall be completed before Certificate of Occupancy is issued by the Department of Building Inspection (DBI).

Mitigation Measure M-CP-1c

Equinox as Tenant of the project shall allow use of the two story group exercise space available to the public as a multi-purpose auditorium for up to 18 events throughout the year during non-club operation weekend hours, subject to scheduling and program content being approved by Equinox. Any additional expenses aside from rent (which will not be charged) and utilities, associated with the events will be the responsibility of the third party using the space.

Mitigation Measure M-CP-1d

The project sponsor shall engage an architectural finishes conservator to plan and oversee the restoration and/or recreation of the foyer coffered ceilings, the lobby ceiling murals, the 1924 auditorium columns, the auditorium ceiling remnant, and, during construction, the preservation of the Anthony Heinsbergen murals. A contract for the conservator oversight with specifications for the restoration work shall be completed and approved by the Planning Department preservation staff prior to Planning Department approval of any building permit application.

Mitigation Measure M-HZ-2: Other Hazardous Building Materials (PCBs, Mercury, Lead, and others)

The project sponsor would ensure that pre-construction building surveys for asbestos-, PCB- and mercury-containing equipment, hydraulic oils, fluorescent lights, lead, mercury and other potentially toxic building materials are performed prior to the start of any demolition or renovation activities. Any hazardous building materials discovered during surveys would be abated according to federal, state, and local laws and regulations.

G. PUBLIC NOTICE AND COMMENT

A "Notification of Project Receiving Environmental Review" was sent out on January 19, 2011, to the owners and occupants of properties within 300 feet of the project site and interested parties. Members of the public responded to the Neighborhood Notice, and parties expressed concern about the project description and the following effects of the project: aesthetics and visual quality, parking, noise, and air quality. The proposed project's effects with respect to these issues are identified in the relevant sections of Chapter E., Evaluation of Environmental Effects. Comments that do not pertain to physical environmental issues and comments regarding the merits of the proposed project are more appropriately directed to the decision-makers. The decision to approve or disapprove a proposed project is independent of the environmental review process. While local concerns or other planning considerations may be grounds for modification or denial of the proposed project, in the independent judgment of the Planning Department, there is no substantial evidence that the proposed project could have a significant effect on the environment.

G. DETERMINATION

On the basis of this Initial Study:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, no further environmental documentation is required.

DATE September 28, 2011

Bill Wycko
Environmental Review Officer
for
John Rahaim
Director of Planning

I. LIST OF PREPARERS AND PERSONS CONSULTED

Planning Department, City and County of San Francisco
Environmental Planning
1650 Mission Street, Suite 400
San Francisco, CA 94103
Environmental Review Officer: Bill Wycko
Senior Environmental Planner: Nannie Turrell
Environmental Planner: Irene Nishimura
Historic Preservation Planner: Shelley Caltagirone
Senior Transportation Planner: Viktoriya Wise
Transportation Planner: Susan Mickelson

CONSULTANTS

During Associates

100 Montgomery Street, Suite 2290
San Francisco, CA 94104
Stu During, Project Manager
Douglas Herring
Morgan Gillespie

Clement Designs (Graphics Design)

358 Third Avenue, Suite 100
San Francisco, CA 94118
Kathy Clement

Page & Turnbull (Historic Architectural Resources)

724 Pine Street
San Francisco, CA 94108

Holmes Culley (Structural Engineers)

130 Sutter Street #400
San Francisco, CA 94104
Lara Schubert, P.E.
Zander Sivyer, S.E.

Lucian Robert Blazej (Consultant to Project)

50 Laidley Street
San Francisco, CA 94131